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Governmental Affairs

Friday, July 27, 1973

THE WASHINGTON POST

Senate Committee Finally Approves Colby as CIA Head

By Murrey Marder

Washington Post Staff Writer

The Senate Armed Services Committee yesterday approved the nomination of William E. Colby to be director of the Central Intelligence Agency, after an inquiry spread over three weeks.

Sen. Harold E. Hughes (D-Iowa) cast the only dissenting vote on Colby, explicitly reserving the right to vote for confirmation on the Senate floor if he chooses, after studying Colby's responses to questions.

Acting Committee Chairman Stuart Symington (D-Mo.) said after the vote yesterday that he does not know if there will be a Senate floor fight over Colby, but said, "I believe he will be confirmed."

Colby is a career professional with 22 years of service in the CIA, most of it in clandestine intelligence work.

In three hearings, including an unusual open inquiry July 2 on his qualifications for the top CIA post, Colby was questioned most closely about his direction of the controversial anti-Vietcong "Phoenix" pro-

gram in South Vietnam. He was also questioned about CIA involvement in the Watergate scandal, clandestine U.S. activities in Laos and Cambodia, and other subjects.

Colby denied that the Phoenix program, which he helped supervise as head of the U.S. pacification effort in South Vietnam from late 1968 to 1971, sanctioned the murder of South Vietnamese civilians suspected of being Vietcong agents. Thousands of Vietnamese were killed in the process of "neutralizing" the Vietcong, and Colby acknowledged there was initially a "counter-terror" program which was later abandoned. The deaths, he said, came in Vietcong fire-fights with allied troops.

Sen. Edward M. Kennedy (D-Mass.) said Wednesday, after prolonged questioning of Colby in a closed hearing, that he wanted assurance that "this type of program will never be repeated by an agency of the United States—particularly the CIA."

Kennedy also questioned Colby Wednesday about the

extent of CIA activities in the Watergate scandals, which were also explored yesterday in the televised hearings. Kennedy is not a member of the Armed Services Committee but was invited to participate in questioning Colby. The senator said his vote on the Colby nomination will depend on his study of Colby's responses to additional questions submitted by Kennedy.

Colby also was questioned Wednesday during the closed hearing about the recent assignment of CIA personnel to field posts in Cambodia, which, Sen. Symington contended, raised questions about whether U.S. involvement in clandestine warfare "on the Laos pattern" might be repeated in Cambodia.

In the questioning Colby reportedly told the senators that CIA personnel assigned to province capitals in Cambodia have no "paramilitary" function, but only gather intelligence. The State Department similarly has said, without

identifying the men as CIA agents, that there are "10 American civilian officials" engaged in gathering "information" in the provinces. Other sources said there are more than double that number of CIA agents doing similar work in Cambodia.

Symington said yesterday that "I consider it unfortunate and 'unnecessary' to conduct such activity in Cambodia at this time, but he said Colby was operating under administration instructions.

Colby was nominated by President Nixon on May 10 to succeed James R. Schlesinger as CIA director, when the latter was named Secretary of Defense. Colby's extensive service in what has been dubbed the "dirty tricks" branch of CIA aroused many of the recent questions about his administrative capacity to direct the agency, although he has been described by associates as a "professional's professional" in CIA work.

WASHINGTON STAR

26 July 1973

Colby Pressed By Senators on Watergate Role

By THOMAS B. ROSS

Chicago Sun-Times Service

President Nixon's nominee for director of the Central Intelligence Agency faces more heavy questioning about his role in the Watergate affair.

Sen. Edward M. Kennedy (D-Mass.) led the nominee, William R. Colby, through four hours of intensive interrogation at a closed meeting of the Senate Armed Services Committee yesterday.

Later, Kennedy told reporters that Colby was designated as the CIA's chief coordinator of Watergate matters after the break-in at Democratic National Committee headquarters 13 months ago.

KENNEDY said he asked Colby about his dealings with White House aides H. R. Haldeman, John D. Ehrlichman and John W. Dean III as well as with the Watergate prosecutors.

Kennedy did not reveal Colby's response, but he indicated he was not completely satisfied. He said he remained undecided on how he would vote when Colby's nomination was presented to the full Senate.

The committee is expected to approve the nomination today. Sen. Stuart Symington (D-Mo.), acting chairman of the Armed Services Committee, publicly declared himself in favor of Colby.

Kennedy is not a member of the committee but, in a virtually unprecedented

concession, was permitted to sit in on the secret hearing at his request.

Kennedy was prepared also to question Colby at length on his role as head of the pacification program in Vietnam. Colby has been accused of condoning assassination, torture and imprisonment of political enemies of the Saigon regime in his management of the Phoenix Project, which was part of the pacification program.

COLBY headed the program from 1968 to 1971. He returned to CIA headquarters here to become executive director for control, a position which put him logically in line to be named Watergate coordinator. Early this year, he was promoted to chief of the operations directorate, the "department of dirty tricks."

Nixon proposed him as director in April to succeed James R. Schlesinger Jr., who became Defense secretary in the top-level reshuffle that took place after the Watergate scandal broke.

Kennedy reportedly concentrated his questioning on

two key events:

- Colby's role in advising Gen. Robert E. Cushman Jr., Marine commandant and former deputy director of the CIA, to clear his Watergate testimony with Ehrlichman before giving it to the federal prosecutor.

- Colby's advice to Schlesinger not to go along with a request by Dean that the CIA take back the Ellsberg case documents it had turned over to the Justice Department.

The CIA repeatedly has insisted it had no involvement in the Watergate break-in or coverup. But Robert C. Mardian, former assistant attorney general and a Nixon campaign aide, testified last week that a CIA official told him he would "stake his life" on the fact that the agency had a role in the break-in.

Rep. Lucien N. Nedzi (D-Mich.), chairman of the House Intelligence subcommittee, has said he has doubt as to whether the CIA went along at first with White House efforts to deflect the Watergate investigation.

WASHINGTON STAR-NEWS
Washington, D. C., Wednesday, August 1, 1973

CIA Admits Expansion of Domestic Secrecy Role

By Oswald Johnston
Star-News Staff Writer

Despite nagging congressional suspicions over the Central Intelligence Agency's role in the Watergate case, the CIA has moved quietly to expand its clandestine operations in this country.

Replying to a Senate questionnaire, CIA director-designate William E. Colby has admitted that the agency's domestic contact service — its long-established program for interviewing academics, businessmen and other traveling American citizens for voluntary information about conditions abroad — had recently been put under control of the CIA's clandestine services.

Thus, for the first time, the function which has been under control of the agency's analytical and above-board Intelligence Directorate has been absorbed by the Directorate of Operations (formerly Plans) — the undercover "Department of Dirty Tricks." That department's budget is so secret that it is not only highly classified but also hidden throughout the budget of the Pentagon and other agencies.

COLBY, whose nomination to be director of CIA was scheduled for a Senate vote today, made the disclosure in reply to a lengthy questionnaire submitted by Sen. William Proxmire, D-Wis., to the Armed Services Committee.

In other replies, many of which were edited by vigilant CIA security specialists, Colby also:

- Acknowledged for the first time that the CIA is training the secret service and the controversial drug enforcement administration in various counter-intelligence techniques.
- Disclosed that foreign diplomats and other foreign visitors to this country are subject to CIA surveillance and other unspecified intelligence-gathering techniques.
- Stated publicly that the CIA and its sister agencies in the intelligence field such as the Defense Intelligence

Agency, the National Security Agency and the Armed Service Intelligence Branches draw their authority from series of classified and secret National Security Council Intelligence Directories (NSCID) and a variety of other executive orders and directives.

"This was the first public reference by any CIA chief to the agency's so-called secret charter, and Colby at the same time announced another unprecedented fact — that the Senate oversight committees, for the first time, will get to see the actual charter of the agencies they are supposed to watch over.

COLBY'S SENATE confirmation today is virtually assured by a large margin, with even doubters like Proxmire declaring their intention to support him.

But the Senate Armed Services Committee has investigated Colby more closely than any previous nominee and the committee's ailing chairman, John C. Stennis, D-Miss., up to now a unquestioning supporter of the agency, has promised a full-scale review of the CIA charter in the light of the massive clandestine war in Laos and the revelations of the Watergate case.

From the first suspicion that CIA help had been extended to Watergate conspirator E. Howard Hunt before the 1971 burglary of Daniel Ellsberg's psychiatrist, even friends of the agency on Capitol Hill had feared the legal ban on all domestic intelligence operations by the CIA may have been eroded.

Colby's replies to some of Proxmire's questions cannot be reassuring.

ASKED whether the program of interviewing American travelers in order to collect foreign intelligence has been reorganized under clandestine services, Colby replied:

In a related questionnaire put to him by the Armed Services Committee, Colby defended in principle the kind of para-military operation abroad that in the past has led to the Bay of Pigs

invasion of Cuba or the more recent secret war in Laos — with the proviso that they must not get so big, as to be found out.

REPLYING to a query of Sen. Harold E. Hughes, D-Iowa, he said "in general, the line should be drawn between the CIA and the Defense Department with respect to armed force at the point in which the U.S. acknowledges involvement in such activities.

"As a practical matter, however," the reply went on, "the scale of the activity will, in many cases, also affect whether the U.S. is revealed as engaged in the activity."

According to one published report, the Bay of Pigs Fiasco led in 1961 to preparation of a series of so-called National Security Actions memorandums in which the Kennedy administration set proposed guidelines to insure that future para-military dirty tricks would remain small enough to be clandestine and manageable enough for the CIA or other U.S. authorities to deny responsibility. Another NSAM of the period reportedly gave the Joint Chiefs of Staff authority over all military operations undertaken by the CIA or other intelligence agencies.

Colby's replies to queries on this score were classified Secret and deleted in their entirety in the transcript that is to be made public.

"Yes, in order to improve the coordination of its collection activities with those of the agency abroad."

Informed observers interpret this to be muted acknowledgment that the agency will now try to make covert use of traveling Americans to sensitive areas of Europe — such as China, perhaps, now that it is nearly accessible to the West. In the past CIA authorities believed an above-board approach to students and professors was more likely to yield results.

Asked to account for all domestic operations of the CIA, Colby listed headquarters and routine administrative operations, the Domestic Contact Service, and the agency's use of academic "think-tanks" and other similar institutions on a

contract basis for intelligence analysis.

BUT HE also referred to "mechanisms, relationships and facilities . . . required within the U.S. to support foreign intelligence operations abroad". This was in obvious reference to dummy "cover" corporations, "safe houses," secure or "sterile" telephone installations and the rest of the apparatus the agency deploys in this country to conceal its tracks.

He added: "Operations are conducted to collect foreign intelligence from foreigners temporarily resident in the U.S." — that is, diplomats and other officials stationed here.

An informed source noted the absence of the language the CIA normally uses to describe its overt intelligence gathering, such as interviews with Americans under the Domestic Contact Service: "on a knowing and voluntary basis for knowledge . . . which they willingly share . . ." The plain inference is that covert means are routinely applied against some "foreigners temporarily resident in the U.S."

On the question of training domestic law enforcement agencies, Colby's answer seems certain to provoke senators who only six months ago were denouncing the limited aid the agency was providing some local police forces.

REPLYING in the carefully understand language of his profession, Colby disclosed that the agency is giving "limited training to drug enforcement administration personnel in inter-agency procedures, intelligence coordination practices in overseas missions; to the Secret Service in defensive driving and explosives and demolition devices as related to Secret Service protective responsibilities against terrorists."

Colby declined to reveal any information about the CIA share of the estimated \$6 billion a year intelligence budget except under wraps of Top Secret classifications, and Proxmire took the occasion to call for public release of the budget in a floor speech prepared to preface today's confirmation vote.

NEW YORK TIMES
2 August 1973

Senate Backs Colby as C.I.A. Head and Indicates More Scrutiny of Agency

By BERNARD GWERTZMAN
Special to The New York Times

WASHINGTON, Aug. 1 — The Senate approved by a large majority today the nomination of William E. Colby as director of the Central Intelligence Agency but indicated that the new intelligence chief would undergo more Congressional scrutiny than any of his predecessors.

Senator Stuart Symington, Democrat of Missouri, the acting chairman of the Armed Services Committee, who led the debate on Mr. Colby's behalf, pledged to some of the C.I.A.'s critics that he would take steps to make public as much about the agency as possible, including the exact size of its budget.

The agency's budget, variously estimated at between \$700-million and \$7-billion, has never been made public. Its funds come from appropriations secretly included in budgets of other agencies, most heavily in the Defense Department budget.

Mr. Colby, a career professional whose activity dates to World War II work for the

Office of Strategic Services, was nominated by President Nixon in May to replace James R. Schlesinger, who became Secretary of Defense. Mr. Colby's current title is deputy director for plans, the covert section of the agency.

The vote was 83 to 13 for Mr. Colby's confirmation, with the Senate Democratic leader, Mike Mansfield of Montana; Senator Edward M. Kennedy, Democrat of Massachusetts; Senator Harold E. Hughes, Democrat of Iowa, and Senator Alan Cranston, Democrat of California, leading the opposition.

In the course of the two-hour debate, Senator William Proxmire, Democrat of Wisconsin, who ultimately voted for Mr. Colby, engaged in an exchange with Mr. Symington, insisting that the agency's budget should be made public.

Mr. Proxmire was joined by Mr. Cranston, who said that because the agency's budget was mixed secretly in the Pentagon's budget, Congress had difficulty finding out the exact costs of certain defense items.

Mr. Symington said that he would consult with Mr. Proxmire and others to see if the budget could be made public.

Up to now, only a small number of senior members of Congress, including Mr. Symington, are privy to those facts, but are pledged to secrecy.

Mr. Proxmire said he would introduce legislation to set up a permanent Senate committee to oversee the C.I.A. Mr. Cranston proposed a one-year study commission to make recommendations about the entire intelligence set-up.

Because of controversy over the secret activities of the intelligence agency in Indochina and its role in providing help to E. Howard Hunt Jr., and others involved in the Watergate case, Mr. Colby's nomination received considerably more attention than any of the previous appointments to this post. Unprecedented public hearings were held, as well as several closed-door sessions.

Mr. Symington praised Mr. Colby as "a dedicated and competent professional," and he said that he had had to carry out many difficult tasks, including heading the American paci-

fication effort in South Vietnam.

Mr. Colby's role in the pacification effort led to Mr. Kennedy's and Mr. Cranston's decision to vote against him. Mr. Kennedy also said he wanted someone other than a specialist in clandestine activities to head the agency.

"Looking to the future of the country and the future of the C.I.A., I believe the United States has had enough secrecy and covert ideas and covert men," Mr. Kennedy said. "At the very least, the C.I.A. needs a greater balance between its clandestine and its intelligence functions."

Mr. Hughes said that he was unsatisfied with many of Mr. Colby's responses to questions put to him in hearings, and this left Mr. Hughes with the fear "that he might acquiesce in another secret war, at least so long as it can be kept secret."

Senator Symington repeated that the Armed Services Committee had begun looking into the agency's legal charter, with an aim of insuring that its primary emphasis was on gathering of information and not engaging in secret wars.

WASHINGTON POST
2 August 1973

CIA Director Is Confirmed By the Senate

By Mary Russell
Washington Post Staff Writer

Despite increasing congressional concern over the activities of the Central Intelligence Agency in domestic affairs, the Senate yesterday confirmed, by a vote of 83 to 13, the nomination of William E. Colby as director.

Colby, a career intelligence officer who spent most of his time in the clandestine Directorate of Operations, headed the controversial U.S. pacification program in South Vietnam from 1968 to 1971.

He underwent intensive grilling by the Senate Armed Services Committee, fearful that attempts to link the CIA with Watergate may have reflected the ways the agency could have skipped the legal ban on domestic intelligence operations by the CIA.

There had been allegations of CIA help to former CIA employee E. Howard Hunt in the 1971 break-in at the office of Daniel Ellsberg's psychiatrist in California, plus allegations of attempted CIA help in the cover-up of Watergate.

Colby was in many ways more forthcoming with the senators than previous directors, but not all of his answers to queries were reassuring to

liberal senators.

Sen. William Proxmire (D-Wis.) submitted a long questionnaire and was disturbed to learn that the agency's Domestic Contact Service, which asks traveling academics, businessmen and other Americans to volunteer information about conditions abroad, has recently been put under operational control of Clandestine Services to improve coordination with CIA's collection activities abroad.

In a floor speech yesterday, Proxmire posed "the possibility that the DCS, which has a good reputation, may now become tainted by the covert side of the agency," the so-called "department of dirty tricks."

In answering the questionnaire, Colby also revealed that the CIA is training Secret Service agents and the new Drug Enforcement Administration officers in counter-intelligence techniques. And he disclosed that diplomats and other foreign visitors are subject to CIA scrutiny while they are in this country.

Sen. Charles Percy (R-Ill.) said he was assured by Colby that the CIA would not train domestic police forces except in the most extraordinary circumstances. And in that case, Percy said, Colby promised to let the CIA Oversight Subcommittee know.

Colby also said that for the first time the Armed Services Committee will get a look at the secret charter from which the CIA and a variety of other intelligence agencies draw their authority.

But Proxmire was dissatisfied with Colby's answer regarding how far he would go in revealing the CIA budget, which is classified and hidden in the budgets of the Defense Department and other agencies.

Proxmire said Colby and his predecessor, James Schlesinger, now Secretary of Defense, had both testified earlier that release of the total budget figure for the CIA would not violate national security.

Proxmire's questionnaire asked Colby this time how far down the line this could go. The senator said, "he used this question as a platform to back off from his earlier position. Now he says that although the disclosure of the total figure of the intelligence community budget would not present a security problem at this time, it is likely to stimulate requests for additional details." He goes on to note that he cannot positively recommend the publication of the total or any subdivision thereof.

Proxmire asked the Armed Services Committee's acting chairman, Stuart Symington (D-Mo.), why he couldn't get that figure. Symington assured Proxmire he was working toward that end and would get together with him off the floor on the matter.

In spite of his reservations Proxmire voted for confirmation. So did both Maryland and both Virginia senators.

Sen. Harold Hughes (D-Iowa), who voted against confirmation, said Colby would

not promise that the CIA would not get involved in another secret war as it did in Laos.

Hughes said Colby would only assure the Armed Services Committee that "I will try to keep it out of the kind of exposure that some of these larger activities got us into."

Hughes also pressed for "where the line should be drawn between CIA and Defense Department activities involving the use of armed force."

Colby answered, "In general, the line should be drawn ... at the point in which the United States acknowledges involvement in such activities. As a practical matter, however, the scale of the activity will, in many cases, also affect whether the United States is revealed as engaged in the activity."

Hughes added, "Again, the point to be made is that Mr. Colby believes that CIA-run military operations are perfectly acceptable so long as they can be concealed. This is unacceptable to me."

Sen. Edward M. Kennedy (D-Mass.) questioned Colby about the pacification program called Phoenix, which attempted to neutralize the "infrastructure" of South Vietnamese civilians providing assistance to the Vietcong.

Kennedy said that, between 1968 and 1971, 66,972 Vietnamese were killed under Phoenix, but said Colby "clearly feels that Phoenix-type func-

LOS ANGELES TIMES
2 AUG 1973WASHINGTON POST
3 August 1973

Senate Approves Colby as Director for CIA

83-13 Confirmation Reflects Promise to Keep Agency Out of Domestic Operations

WASHINGTON (UPI)—The Senate Wednesday approved the nomination of William E. Colby as director of the Central Intelligence Agency.

Reflected in the 83-13 vote for confirmation were Colby's promise to keep the CIA out of domestic operations and his expressed belief that it should answer more fully to Congress.

Opposition to Colby's nomination, led by Sens. Harold E. Hughes (D-Iowa) and Edward M. Kennedy (D-Mass.), centered around his 2½ years in charge of Operation Phoenix in South Vietnam.

Kennedy said 20,587 Viet Cong suspects were killed in the program, an effort to stamp out South Vietnamese citizen support for the Viet Cong.

Use of Torture

Part of the U.S. pacification program, which Colby directed from late 1968 to early 1971, Operation Phoenix has been criticized for its use of torture and assassination.

Sen. Stuart Symington (D-Mo.), acting chairman of the Senate Armed Services Committee, said Colby had testified that Phoenix was improperly run when he took it over, but that he initiated reforms to remove abuses.

"This was a man acting under orders," Symington said. "He accepted a tough job and did his best to carry it out."

Symington urged the Senate not to penalize Colby on the basis that he had been involved in paramilitary operations rather than conventional warfare in Indochina.

Symington and Sen. Henry M. Jackson (D-Wash.) said no previous nominee for the top U.S. intelligence post had ever been questioned so exten-

sively by Congress.

Symington refused a request by Sen. William Proxmire (D-Wis.) that he make the CIA's classified budget public. Symington said he would be glad to brief Proxmire privately.

Proxmire, who supported Colby's nomination, complained there was too much blindness in Congress about the CIA.

"We will be confirming him for a blind position," he said. "In my opinion the director of Central Intelligence is one of the eight or 10 most powerful positions in government. So we will vote for or against a man in an immensely powerful office and we know very little about him or the job."

Parachuted into France

Colby, 53, has been involved in clandestine activities since World War II, when he was parachuted behind German lines in France to work with resistance forces, and entered occupied Norway to destroy a German-held rail line.

Colby was graduated from Columbia law school after the war and joined a New York law firm headed by William J. Donovan, his former superior in the Office of Strategic Services, forerunner of today's CIA.

In 1949 Colby took a job with the National Labor Relations Board in Washington, and from 1951 through 1959 he held staff jobs in various U.S. embassies abroad.

His first acknowledged CIA job began in 1962, when he became chief of the agency's Far East division in Washington.

Colby now serves as CIA deputy director for operations. He was nominated by President Nixon in May to succeed James R. Schlesinger, who became secretary of defense.

tions, organization and programs... are a proper function of the CIA and serve a useful purpose in U.S. foreign policy."

Kennedy said the Phoenix program has been taken over by the South Vietnam special police and national police, but quoted Colby as saying the CIA still maintains liaison with them. Kennedy said a Defense Department witness was unable to assure Kennedy's Refugee Subcommittee that the \$12 million in the defense budget for fiscal 1974 being spent for police activities in South Vietnam are not going in part for Phoenix.

Proxmire and Sen. Alan Cranston (D-Calif.) used the occasion of the debate on Colby's nomination to announce that they would offer resolutions and bills to strengthen congressional oversight of the CIA and tighten the laws governing its operation.

Proxmire called for the formation of a standing committee (with a full staff) composed of members of the Armed Services and Foreign Relations Committees and others. At present a subcommittee of Armed Services and Foreign Relations members oversees the CIA.

Cranston called for a one-year ad hoc select committee to study the CIA and all foreign intelligence operations. He also said he would offer amendments to the National Security Act of 1947 which would:

- Limit the director of the CIA to an 8-year term.
- Provide that the director and deputy director posts could not both be occupied by CIA insiders at the same time.
- Change the National Security Act so that covert operations—those not directly related to intelligence gathering and analysis—would have to be authorized in writing by the President.

Senate Majority Leader Mike Mansfield (D-Mont.) joined Cranston, Hughes, Kennedy, Joe Biden (D-Del.), Frank Church (D-Idaho), Alan Cranston (D-Calif.), Mike Gravel (D-Alaska), Philip A. Hart (D-Mich.), Floyd K. Haskell (D-Colo.), William D. Hathaway (D-Maine), George McGovern (D-S.D.) and Gaylord Nelson (D-Wis.) in voting against confirmation.

Watergate Called 'Pretext' by Tass

MOSCOW, Aug. 2 (UPI)—The Tass news agency said today the Watergate break-in was a "pretext for an inquiry by a special Senate committee."

The three-paragraph dispatch from Washington was only the fourth time the official Soviet news agency has referred to Watergate, and the first time it tried to explain it.

Tass said the Ervin committee was continuing its investigation of "the so-called Watergate affair" and had heard testimony from former Attorney General John Mitchell and presidential aides H. R. Haldeman and John Ehrlichman.

Tass gave this background on Watergate:

"An incident at the height of the election campaign last year—when a group of persons were arrested in the capital's Watergate Hotel during an attempt to bug the Democratic Party headquarters there—is known to have served as a pretext for an inquiry by a special Senate committee."

NEW YORK TIMES

18 JUL 1973

**ALFRED COX, 57, DIES;
FAR EASTERN EXPERT**

Special in The New York Times

WASHINGTON, July 18 — Alfred T. Cox, who retired in 1971 as a Department of Defense specialist on Far Eastern matters, died Monday at his home in Arlington Towers Apartments in Arlington, Va. He was 57 years old.

Mr. Cox was a 1940 graduate of Lehigh University where he was a Phi Beta Kappa student and captain of three sports' teams. In World War II, as an Army officer assigned to the Office of Strategic Services, he saw action in North Africa and Italy and commanded a paratroop unit that landed in France before the invasion for liaison with the French underground. Later transferred to China, he organized and trained Chinese commando troops, and was a lieutenant-colonel when he left the service in 1946.

Later he was associated with Central Intelligence Agency. He was also active in the Civil Air Transport, a Hong Kong-based airline. He was special assistant in 1949 to Claire L. Chennault, its president, and later became vice president and then president, serving from 1952 to 1955.

Surviving are a son, Steven L. Cox; a brother, Francis A. Cox, a vice president of The New York Times; and two sisters, Mrs. Levi Mock, and Mrs. Raymond Schnoes.

WASHINGTON STAR

18 JUL 1973

**James Crudgington,
Near East Specialist**

James W. Crudgington, 53, a specialist on the Near East and former Central Intelligence Agency official, died Sunday in Washington Hospital Center after a long illness. He lived on Hillbrook Lane in Spring Valley.

Mr. Crudgington was born in Sewanee, Tenn. He graduated from Princeton University and was a Woodrow Wilson Fellow at Princeton's graduate school.

He joined the British-American Ambulance Corps in 1940 and was captured by the German Navy when his ship was torpedoed en route to Africa. Later exchanged, he served in North Africa with the ambulance corps and, following American entry into World War II, with the U.S. Army.

After graduate school at Princeton, Mr. Crudgington worked for the CIA from 1951 to 1946. He later joined Roosevelt and Associates, an international consulting firm.

He leaves his wife, Susan; three daughters, Susan, Olivia and Keith; his father, Dr. Robert L. Crudgington of Cincinnati; a sister, Eleanor Wallis, of White Sulphur Springs, W. Va. and a brother, Keith Wallis, of London.

Memorial services will be held at 2 p.m. tomorrow in St. Albans Episcopal Church, Wisconsin and Massachusetts Avenues NW.

The family suggests that expressions of sympathy be in the form of contributions to the Hotchkiss School, his alma mater, in Lakeville, Conn.

BALTIMORE NEWS AMERICAN
25 JUL 1973**Kennedy Will Quiz Colby
On CIA Watergate Role**

By PATRICK J. SLOYAN

News American

Washington Bureau

WASHINGTON — William

Colby, President Nixon's nominee to be director of the Central Intelligence Agency, will be grilled late today about his role in the Watergate scandal by Sen. Edward M. Kennedy, D-Mass.

Kennedy said he wanted to determine what he called Colby's role as "coordinator of Watergate matters" at the CIA.

Kennedy's questioning of Colby, who has served as the CIA's number three man since Jan., 1972, is scheduled for an unusual closed-door session of the Senate Armed Services Committee.

Kennedy, who is not a member of the armed services panel, was granted permission to question Colby by acting chairman Stuart Symington, D-Mo.

Meanwhile, it was learned that special Watergate prosecutor Archibald Cox has discussed Colby's involvement in Watergate with Symington. One senior member of the committee said Cox did not provide "anything we didn't already know about Colby."

But Kennedy indicated that he would be developing new information about Colby and the CIA involvement in Watergate. Earlier testimony has indicated an effort by top White House aides to get the CIA to take the blame for the Watergate burglary of the Democratic National Committee.

"I'll be asking the questions

I think Mr. Colby will have to produce some important evidence," Kennedy said.

Kennedy's statement indicates that Colby's nomination may be in trouble in the Senate.

Nixon named Colby to be the CIA chief after former director James Schlesinger was picked to be Secretary of Defense. Schlesinger replaced Richard Helms who left the CIA post earlier this year.

There have been reports that Helms was fired or quit because of White House efforts to link Watergate with the spy agency.

The Armed Services Committee conducted a series of hearings about CIA involvement in Watergate and Symington concluded the agency withstood efforts by the White House to use the CIA as a scapegoat.

WASHINGTON POST
25 JUL 1973**CIA Operatives Eyed
As Cambodia Force**

Reports that Central Intelligence Agency operatives have been sent into outlying regions of Cambodia are scheduled to be examined today by the Senate Armed Services Committee.

William E. Colby, President Nixon's nominee to head the CIA, will be questioned about the reports in a closed meeting today.

Sen. Stuart Symington (D-Mo.) was asked yesterday if the U.S. personnel assigned to field posts in Cambodia are CIA personnel. "We will find out more about this after we talk to Mr. Colby," Symington replied.

There is high sensitivity in Congress about any undisclosed U.S. operations in Cambodia, especially since it was revealed last week that Congress was given falsified reports that concealed 14 months of B-52 bombing in Cambodia between March, 1969, and April, 1970.

All American combat operations throughout Indochina are scheduled to be cut off by Aug. 15. Any new assignment of U.S. personnel in Cambodia is therefore doubly suspect in Congress.

The initial report that aroused questions yesterday

was a news dispatch from Cambodia by Tammy Arbuckle to The Washington Star-News.

That report said that the United States, during April and May, launched a new program in Cambodia which appeared to have the potential for duplicating the development of a U.S.-operated clandestine private army on the Laos model.

The report said that 10 Americans were sent to Cambodian province capitals, with radio equipment, and were claimed to be State Department personnel. Congressional legislation prohibits use of any American military advisers in Cambodia.

Military sources in Washington said yesterday that the men involved are CIA personnel, and that they are on intelligence-gathering missions, rather than on assignment to organize clandestine military units to strengthen the faltering Cambodian armed forces.

Symington said yesterday that if the original report is correct that these are "secret American paramilitary operations," concealed from Congress, it would mean that Congress once again "cannot depend upon the executive branch to learn what is going on."

WASHINGTON STAR

21 July 1973

CIA Lifting Veil on 'Charter'

By Oswald Johnston
Star-News Staff Writer

Under pressure from the Watergate case, the Central Intelligence Agency is gradually opening the doors on one of its most cherished secrets, the so-called "charter" under which it has operated for more than 25 years.

In an unprecedented action, the National Security Council has quietly authorized limited congressional access to the dozen or so classified intelligence directives from which the CIA has built up its authority to function.

The chairman and ranking minority members of the Senate Appropriations subcommittee on intelligence operations, John L. McClellan, D-Ark., and Milton R. Young, R-N.D., were granted permission last week "to review these directives in the very near future," according to a report from McClellan's office.

The permission was granted after McClellan's request for access to the secret NSC intelligence directives (known as NSCIDs) was relayed to CIA Director-designate William E. Colby during a closed-door hearing earlier this month.

McClellan's successful request marked the first time that any congressional committee charged with oversight of the CIA has ever asked to see the execu-

tive branch charter upon which the spy agency has based its authority to conduct clandestine operations abroad and maintain cover organizations at home.

The NSCIDs, which extend from 1947 to the present, are secret interpretations of the sometimes vague language of the 1947 National Security Act (NSA) which created the CIA. The agency was banned from most domestic operations, but a way was left open for it to "perform such other functions and duties relating to intelligence" as the National Security Council "may from time to time direct."

The NSCIDs are believed to set forth specific authorities for the CIA to act under the otherwise vague charter of the 1947 law. For instance, according to one published report, an NSCID in 1948 authorized the agency to set up mechanism for carrying out clandestine operations abroad.

OTHER SUCH directives are believed to have led to the extensive operations the agency maintains in the United States today, ostensibly to interrogate returning travelers, and, in the veiled words of recent testimony by Colby, "to give our people abroad perhaps a reason for operating abroad in some respects so that they can appear not as CIA employees, but as representatives of some other entity."

The very existence of the NSCIDs was largely unknown to Congress until very recently, even to the oversight committees — even though several thousand upper and mid-level CIA operatives at Langley, Va., headquarters and around the world are thoroughly briefed on the secret charter as soon as they get their intelligence security clearances.

The secret directives were most recently brought to congressional attention by Sen. William Proxmire, D-Wis., who has been seeking legislation to curb CIA clandestine operations and bring the agency under tighter control. In a June 12 letter to Sen. Stuart Symington, D-Mo., and McClellan, Proxmire specifically urged that the oversight committees "obtain copies of the directives and review them for public release."

IN A REPLY last week, McClellan revealed that the process has quietly begun. He informed Proxmire that Colby was asked to produce the NSCIDs. "Mr. Colby advised that he has received permission for Sen. Young . . . and myself to review these directives in the very near future," McClellan added.

In a parallel development, Senate Armed Services Committee Chairman John D. Stennis, D-Miss., revealed yesterday that he had opened a committee

review of the 1947 act, its 1949 subsidiary, the CIA Act, and all the problems raised by the CIA secret war in Laos and the recent allegations that White House aides tried to involve the agency in Watergate.

SYMINGTON, the acting committee chairman, who has been running the committee while Stennis recuperates from injuries he received in a holdup shooting last winter, has already requested Colby to arrange access to the NSCIDs for the Armed Services subcommittee on central intelligence.

Yesterday's disclosure by Stennis, who has watched committee business closely from Walter Reed Hospital, makes it plain that Armed Services, too, is confident of access to the secret charter.

At issue, as Symington put it in a recent interview, is whether the secret directives upon which the CIA bases operations are themselves "a violation of the law."

In his letter yesterday to Sen. Edmund S. Muskie, D-Maine, promising committee review of the CIA, Stennis put it this way:

"The experience of the CIA in Laos, as well as in more recent disclosures of matters here at home, have caused me to definitely conclude that the entire CIA Act should be fully reviewed."

work and expressed the hope that the committee would pursue the matter further.

They were Representative Robert F. Drinan, Democrat of Massachusetts, and David S. Harrington and K. Barton Osborn, former military participants in the Phoenix program.

In addition, Paul Sakwa, a former C.I.A. official, told the committee that he believed Mr. Colby was unfit for the job of director because of what he termed slanting of intelligence information in South Vietnam in the early nineteen-sixties. Another former C.I.A. officer, Samuel A. Adams, said he had nothing against Mr. Colby but thought the Phoenix program was a failure.

Mr. Symington, who expressed his general admiration of Mr. Colby despite the adverse comments about him, said the committee would probably invite him back next week to defend himself against the charges. Mr. Colby had testified in a public hearing on July 2, and later in a closed door session.

NEW YORK TIMES
21 July 1973

Stennis Plans C.I.A. Charter Review

Special to The New York Times

WASHINGTON, July 20 — Senator John C. Stennis, chair of the Senate Intelligence Committee, said today that he viewed the laws governing the Central Intelligence Agency in light of the agency's secret activities in Laos and its role in the Watergate scandal.

In a letter to Senator Edmund S. Muskie, Democrat of Maine, supporting the war-powers bill that Mr. Muskie was managing, Mr. Stennis said that he had already instructed the committee staff to begin preliminary work and that hearings would eventually be held on revising the agency's charter.

The Mississippi Democrat, still ailing from gunshot wounds suffered during a hold-up in January, announced the planned review of the C.I.A. charter as the committee re-

opened public hearings today with the appearance of several witnesses critical of President Nixon's nomination of William E. Colby as the new director of the C.I.A.

Senator Stuart Symington, Democrat of Missouri, the acting chairman of the committee, said during today's hearing that he believed a careful study should be made of the agency's activities to insure that it devotes its chief emphasis to the gathering and interpretation of intelligence, rather than on the type of covert activity that led it to supervise what became known as "the secret war" in Laos against the Pathet Lao.

Senator Stennis said that "the experience of the C.I.A. in Laos, as well as more recent disclosure of matters here at home have caused me to defi-

nately conclude that the entire C.I.A. act should be fully reviewed."

The National Security Act of 1947 created the agency. This act included what Senator Symington called "little loopholes" allowing it to perform various clandestine activities, some of which, like the Bay of Pigs in 1962, provoked controversy.

Mr. Colby, who formerly headed the agency's clandestine branch, has run into opposition from antiwar critics because of his role as head of the American advisory team with Operation Phoenix, the pacification program in South Vietnam that led to the killing of about 20,000 South Vietnamese, many of them alleged by Vietcong agents.

Three witnesses at today's hearing criticized him for that

BALTIMORE NEWS AMERICAN

22 JUL 1973

CIA Nominee Colby Faces Viet Misconduct Charges

WASHINGTON — (CST) — President Nixon's nominee for director of the Central Intelligence Agency has been ordered to return for Senate questioning on allegations of misconduct by him in Vietnam.

It was also learned that Watergate special prosecutor Archibald Cox visited Sen. Stuart Symington, D-Mo., acting chairman of the Armed Services Committee, Thursday to discuss charges that William E. Colby may have been involved in the Watergate coverup.

At the same time, Sen. John C. Stennis, D-Miss., the convalescing chairman of the committee, sent a letter from Walter Reed Army Medical Center indicating the Watergate scandal has prompted him to draft changes in the legisla-

tion that created the CIA in 1947.

Stennis, recuperating from gunshot wounds suffered in a holdup in February, declared: "The experience of the CIA in Laos as well as more recent matters have caused me to definitely conclude that the entire CIA Act should be fully reviewed."

Symington said it has now become clear that, under orders from the White House, the CIA has been taking part in activities their "original charter did not justify doing."

He pointed out that the administration authorized certain foreign and domestic CIA operations, outside the original intent of Congress, on the basis of a loophole in the law that says the agency can perform "other functions and duties" besides pure intelligence

work on orders of the National Security Council.

Stennis' letter to Sen. Edmund S. Muskie, D-Me., suggested his committee might exercise tighter control over the CIA.

Stennis wrote he already had directed committee staff members to work on a revision of the 1947 National Security Act and that he had drafted tentative amendments. He did not specify what changes he wanted.

Symington announced the recall of Colby during an unprecedented public session devoted to criticism of the nomination. Although Symington has indicated he will vote for confirmation, he said: "We have to have Colby back to discuss matters being laid out in good democratic fashion before Congress and the people."

Symington acted after hearing charges by Rep. Robert F. Drinan, D-Mass., that Colby played a "despicable part" as head of the pacification program in South Vietnam from 1965 to 1971.

Drinan, a Jesuit priest, was part of a team of clergymen and laymen who studied the program on the scene in 1969. He said Colby was the "chief architect" of a scheme to repress all political opposition to President Nguyen Van Thieu, including "sweeping injustices done to thousands of Vietnamese."

Drinan's testimony was supported by David Harrington and K. Barton Osborn of the Committee for Action Research on the Intelligence Community. The two men, both with long service in Vietnam, said Colby looked the other way while thousands of Vietnamese were jailed or assassinated.

Paul Sakwa, a former CIA official, accused Colby of being an "uncontrollable agent" who disregarded orders and slanted reports. Sakwa was head of the Vietnam covert activity branch at CIA headquarters here during the early 1960s while Colby was the agency's station chief in Saigon.

Sakwa said Colby ignored orders he didn't like, failed to reply or delayed his reply until after his own plans had been put into effect.

Sakwa ascribed Colby's conduct to his experience in the free-wheeling World War II Office of Strategic Services, whose alumni Sakwa said still "really run the agency."

NEW YORK TIMES
20 July 1973

Senate Calls Critics to Inquiry on Colby

By BERNARD GWERTZMAN
Special to The New York Times

WASHINGTON, July 19—The Senate Armed Services Committee said today that it would reopen public hearings tomorrow to hear testimony against President Nixon's nomination of William E. Colby as the new Director of Central Intelligence.

This will be the first time that the committee has ever invited witnesses to speak publicly against a high-level official of the Central Intelligence Agency, committee aides said.

The decision by Senator Stuart Symington, Democrat of Missouri, acting chairman of the committee, resulted in part from recent complaints made privately against Mr. Colby's work in South Vietnam by Senator Edward M. Kennedy, Democrat of Massachusetts, and some former C.I.A. and military officials.

Mr. Colby, the former head of all covert operations for the agency, testified in an open session on July 2, with Senator Symington the only member of the committee present. After that hearing, the Senator said that he would enthusiastically support Mr. Colby's nomination—a statement tantamount to assuring confirmation by the full Senate.

Committee sources said that until the latest decision, there

had been no plans to hold any additional open hearings on the nomination of Mr. Colby to succeed James R. Schlesinger, who became Secretary of Defense in the Watergate shake-up of the Nixon Administration.

The main criticism to be aired tomorrow deals with Mr. Colby's activity in South Vietnam. From 1959 to 1962, he was the agency's station chief in Saigon, and from 1968 to 1971 he was head of the American pacification agency in South Vietnam, which included the C.I.A.-directed Operation Phoenix, which between 1968 and 1971 led to the death of 20,587 Vietnamese.

The Phoenix program was designed to uproot the Vietcong network but its critics charge that it was a cloak for systematic assassination, murder and torture—a charge that Mr. Colby has denied before Congressional committees.

The committee said that two former officials of the agency were expected to criticize Mr. Colby's intelligence work. They are Paul Sakwa, who was head of Vietnam covert activity at C.I.A. headquarters when Mr. Colby was the Saigon station chief, and Samuel C. Adams, a specialist in Vietcong and Cambodian Communist activity, who recently resigned from the agency. Mr. Sakwa left it in 1962.

Mr. Sakwa has given the

committee material that shows, he says, that Mr. Colby was "an uncontrollable agent" who deliberately slanted intelligence and provided Washington with misinformation in the early nineteen-sixties, giving a false, rosy picture of developments in South Vietnam.

Testifying against Mr. Colby's activities as head of the pacification program will be Representative Robert F. Drinan, Democrat of Massachusetts, a frequent critic of the war, and David Harrington and K. Barton Osborn, former military advisers in the pacification program, who have charged Mr. Colby with condoning assassination and torture.

Mr. Colby's name has also been mentioned in connection with C.I.A. help to E. Howard Hunt Jr., a former operative of the agency and one of the convicted Watergate conspirators, who broke into the office of Daniel Ellsberg's psychiatrist with the help of a disguise and equipment supplied by the agency.

The Senate committee staff said that Archibald Cox, the special Watergate prosecutor, spent an hour with Senator Symington today. Staff members said that they expected that Mr. Colby would be invited to testify again next week to answer any criticisms made tomorrow.

CONGRESSIONAL RECORD

19 JULY 1973

OPPOSES APPOINTMENT OF WILLIAM COLBY TO HEAD CIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 5 minutes.

Mr. DRINAN. Mr. Speaker, I would like to share with my colleagues the testimony I intend to deliver before the U.S. Senate Committee on Armed Services on Friday, July 20, 1973 at 10 a.m. in opposition to the appointment of Mr. William E. Colby as the Director of the Central Intelligence Agency.

I have come to testify against the appointment of Mr. Colby as the Director of the CIA because I have been almost compelled by the roles of my conscience to raise my voice to prevent the confirmation of a man whose activities in Vietnam and whose testimony before this Committee on July 2, 1973 indicate that almost certainly he will continue within the CIA those activities of this intelligence agency which have brought disgrace to the Federal government and to the American people.

On Sunday June 1, 1969 I and seven other Americans talked with William E. Colby in Saigon from 4:30 p.m. to 6:45 p.m. I was in South Vietnam as a member of the privately financed U.S. Study Team on Religious and Political Freedom from May 29 to June 10, 1969. The extensive report of that study team is printed in full in the Congressional Record of June 17, 1969 on page E5010.

When I read that Mr. William Colby had been appointed as the Director of the CIA I reviewed very carefully the notes which I took during and after the two hours that I and my associates spent with Mr. Colby more than four years ago. Mr. Colby at that time was, or course, in charge of the Phoenix Program or CORDS. The precise purpose of the study team of which I was a member was to determine the number of political prisoners and the extent to which, if any, the United States was contributing to the suppression of political freedom in South Vietnam.

Mr. Colby did his best to prevent us from acquiring any hard information from him or from his associates. For the first 28 minutes of the interview Mr. Colby explained several obvious matters about South Vietnam all of which were thoroughly known to the eight members of the U.S. study team. Mr. Colby also went out of his way to explain that President Johnson had given him the personal rank of Ambassador when he left the CIA and agreed to run the Phoenix Program for the State Department.

At no time did Mr. Colby even concede the possibility that the pacification program was assisting the government of President Thieu to put in jail all of the political activists who alone could form a political party or a political coalition capable of running a candidate in a genuine election against President Thieu.

Mr. Colby conceded that the number of political prisoners increased as the pacification program became more widespread in South Vietnam. Mr. Colby also conceded that many of the political prisoners did not receive a trial and that many of them remained for months and years in prison merely because of the suspicion of some local official. Mr. Colby stated "I know brutality exists" and added without much proof that "we try to do something about it." He never made clear however what he tried to do about the widespread existence of brutality in prisons—a phenomenon which I and my associates heard everywhere in South Vietnam.

Mr. Colby offered no assistance whatsoever and in fact professed total ignorance about the "tiger cages" in the prison on Con Son Island. We were unable to discover these dungeons which were eventually discovered a year later by a U.S. Congressional team, members of which almost stumbled by accident upon the existence of these hideous dungeons.

In fact Mr. Colby indicated that he knew little about the conditions in the prisons most of which were built with American money and designed by American engineers. I and the other members of the U.S. Study Team of Political Freedom in South Vietnam felt indignation at the way that Mr. Colby evaded our questions and out talked us as a form of "brush off".

I did not learn until 1971 that during Mr. Colby's period with the pacification program 20,567 South Vietnamese people were killed. During that same period (1968 to May 1971) 28,978 persons were captured or jailed.

One had the impression of Mr. Colby on that Sunday afternoon in June, 1969 of an individual who would do what he was told, carry out orders as they were given and always seek by misleading or deceptive statements to deny that anything was wrong in the program which he was implementing.

This impression was deepened by a conversation which I had with an American prison official, present during our entire interview with Mr. Colby, who spoke to me as I was leaving Mr. Colby's office. This individual who had come to Saigon from the United States because he was an expert in building prisons had denied in the presence of all of us that there was any brutality against the political prisoners that were literally rounded up by the Phoenix program and herded into prisons. He confessed privately to me, however, as I was leaving that he knew of extensive brutality and he hoped that the U.S. study team would expose it to the entire world. He concluded by stating that he would deny what he had said if I ever attributed it to him!

On the basis of what we saw in South Vietnam the study team recommended that the Nixon Administration and the Congress have a complete investigation of the extent to which American officials in the pacification program have turned over innocent South Vietnamese citizens to military field tribunals, the equivalent of a kangaroo court, and this have contributed to the disappearance of all political opposition to President Thieu.

The study team predicted that the total number of political prisoners would increase as long as the pacification program continued. This has of course happened so that now there are some 200,000 political prisoners in South Vietnam—a situation which makes it virtually impossible for any political opposition to arise against President Thieu.

Mr. Colby seemed incapable of comprehending the fact that the United States government and particularly the pacification program was making a mockery of the constitution of South Vietnam. He kept insisting that war conditions existed in South Vietnam and that therefore the violations were understandable. Mr. Colby seemed actually unwilling to listen when John Pemberton, the Executive Director of the American Civil Liberties Union and Methodist Bishop James Armstrong, members of the team, pointed out to him that the South Vietnamese Constitution provides:

"Any restriction upon the basic rights of the citizens must be prescribed by law and the time and place within which such a restriction is enforced must be clearly specified. In any event the essence of all basic freedoms cannot be violated."

We found of course other American officials in South Vietnam who were just as insensitive to the complexity of the United States in lawlessness as Mr. Colby appeared to be.

I feel obliged by my convictions and by my conscience to state that a man who displayed the attitudes which Mr. Colby did when he operated the Phoenix program should not be confirmed by the Congress of the United States to be the Director of the CIA.

I want also to raise other questions about the unsatisfactory nature of the testimony which Mr. Colby gave on July 2, 1973 before this committee. I also want to state my shock and indignation that one hour and 40 minutes has been the total time spent, with one Senator present, in hearings on the crucial question of who will be the next Director of the CIA. This is the agency which has brought disgrace to itself by its involvement with the ITT in Chile, shock and anger to everyone by its involvement in the bungling of the office of the psychiatrist of Dr. Daniel Ellsberg and universal horror by its involvement in the Watergate scandal.

I also want to express my protest that the Senate Committee on Armed Services has given a totally inadequate explanation of why it held the one hearing on Mr. Colby on July 2 when the Congress was not in session. The only explanation is the words of the chairman who opened the hearing by stating: "We regret that most of the members are absent because of the recess but in as much as Director Schlesinger has now become Secretary of Defense we thought it would be advisable to have Mr. Colby here at the earliest

opportunity in order to consider his confirmation as the new Director of the CIA." I personally would hope that the chairman would send a personal letter to every single member of the House and of the Senate inviting them to testify if they so desire about the nature and the future of the CIA.

The chairman of this committee also stated in his opening remarks that the hearing on Mr. Colby will "also review a number of policies relating to the CIA itself". The chairman went on to note that "we are going to take this opportunity to try to get a better understanding for ourselves and for the people as to just what the CIA is and what it is supposed to do."

I want to state, with all due respect, that it has been the Senate Armed Services Committee which, more than any other agency in Congress, has prevented the Congress and the people of this country from knowing anything about the CIA. In the last two decades more than 200 bills aimed at making the CIA accountable to Congress have been introduced. None has been enacted. The most recent attempt to make the CIA accountable came on July 17, 1972 when the Senate Foreign Relations Committee reported out a bill requiring the CIA to submit regular reports to Congressional committees. That bill died in the Senate Armed Services Committee.

In all candor, Mr. Chairman, the record of the Senate with regard to oversight of the CIA has been disgraceful. On November 23, 1971 Senator John Stennis and Senator Allen Ellender—then the Chairman of the Armed Services and the Appropriations Committee as well as of their CIA oversight Subcommittee, said that they knew nothing about the CIA-financed war in Laos, surely CIA's biggest operation (Congressional Record page S19321-19530).

I hope therefore that these hearings which, as the chairman has noted, are designed to bring about a "better understanding for ourselves and for the people" (and I underline for the people) will remain open as long as any member of the Congress desires to address himself to this question.

I congratulate the chairman for having an open hearing for the first time on the confirmation of a director since the CIA was established in 1947.

I find the testimony of Mr. Colby very ambiguous, equivocal and unsatisfactory. His justification of the Phoenix program added little to the unsatisfactory evidence which he gave on that matter before the Senate and House Congressional committees in 1970 and 1971. He made absolutely no response then or on July 2, 1973 to the vehement criticisms made of the basic injustices in that program of which he was practically the architect.

No where has Mr. Colby responded to the criticism that he and the Phoenix program have brought about the virtual dictatorship of President Thieu because the United States has put all of the potential political opponents of President Thieu in jail! Mr. Colby stated on July 2 (on page 15) that he directed any Americans in South Vietnam to report any illegal abuses to higher authority. Mr. Colby states that he did receive some reports of misbehavior, that he took them up with the South Vietnamese government and that he "saw action taken against the individual doing it". This may have been in some individual cases but the awful fact remains that Mr. Colby presided over a pattern of total lawlessness and absolute violation of the basic and fundamental norms of constitutional government in South Vietnam during the entire life of the Phoenix program.

I and my associates told this to Mr. Colby on June 1, 1969 in Saigon. He states in his testimony on July 2, 1973 that it was not until 1971 that a South Vietnamese citizen was able to receive a copy of the charges made against him and to have a hearing on those charges at which he could actually appear.

I do not want to have a director of the CIA who for whatever reason by his own admission was unable or unwilling to guarantee to South Vietnamese citizens the basic provisions of due process.

Mr. Chairman, I wish to set forth another reason why in my judgment the confirmation of Mr. Colby should be postponed. On July 2, 1973 Mr. Colby was asked by the chairman if he would allow members of the Congress to "see at least the general amount which is spent for intelligence functions annually". Mr. Colby answered by stating "I would propose to leave that question, Mr.

Chairman, in the hands of the Congress to decide".

In response to a similar question as to whether the Congress should be able to decide on the budget for the intelligence community each year as for all other Federal agencies Mr. Colby responded: "That would be up to the Congress again, Mr. Chairman."

As a member of Congress I want to assert in the clearest and most vigorous way available to me that I think that the Congress should take Mr. Colby at his word and decide right now that the Congress has a right and a duty to know what money is spent by the CIA and how it is spent. Mr. Colby has made no objection and the least that the Congress could do if it is to confirm Mr. Colby is to assert the right which Mr. Colby has conceded is that of the Congress; namely the right to set the budget each year for the CIA just as it does for every other agency of the Federal government.

If Mr. Colby is confirmed and the CIA continues to become involved in activities which bring disgrace to it and shame to the American people the citizens of this nation can blame the Congress and the Congress alone. At this particular time of substantial change in our foreign policy it would be reckless and irresponsible for the Congress to refuse to take Mr. Colby at his word and to decline to say that from this day forward the Congress will, as Mr. Colby concedes it can, establish the budget of the CIA.

I object to Mr. Colby's confirmation because in the testimony on July 2 he made no firm commitment that the CIA under his direction would not become involved in another operation such as the CIA conducted in Laos. Mr. Colby only stated that "it is very unlikely that we will be involved in such an activity". Mr. Colby, furthermore, does not want the Congress to change the 1947 act that created the CIA. Mr. Colby conceded that the adventure in Laos "undoubtedly went beyond what Congress intended" when it stated that the CIA should perform other functions as designated by the National Security Council. Even so Mr. Colby felt that the 1947 act should not be changed "because I think that the agency might be fettered in some respects which would be of importance to the United States..."

Mr. Colby is also less than clear or satisfactory when he states that he would not preclude the CIA from assisting other Federal agencies even though the CIA should restrict all of its activities to foreign intel-

ligence operations. Mr. Colby says, for example, that he can "envisage a situation in which it would be appropriate for the agency to help not Mr. Howard Hunt but a White House official to meet somebody without coming to public notice". Similarly Mr. Colby approves of a secret FBI-CIA arrangement by which both of these agencies agree to help each other. Mr. Chairman, as a member of the House Judiciary Committee with direct oversight of the Department of Justice and the FBI I feel that I have a right to see that document and to question those who wrote it and those who operate by it. On page 56 of his testimony Mr. Colby states that he has not had a chance to review this matter in detail. I feel strongly that the

Congress of the United States should review the agreement between the CIA and the FBI which, Mr. Colby tells us, was "drawn up some years ago".

I feel, Mr. Chairman, that the time has long since passed when the Congress of the United States should review completely and openly the nature and purpose of the CIA. It is frightening to me to consider the implications of one of Mr. Colby's statements on July 2. On page 64 he states that "certain structures are necessary in this country (America) to give our people abroad perhaps a reason for operating abroad in some respects so that they can appear not as CIA employees but as representatives of some other entity. . . ." If the American people and the Congress are going to finance James Bond types like Mr. Colby suggests I think that the elected members of the Congress have a right to know about it. Up to now the CIA has pretended that they inform a handful of members of the House Appropriations Committee and a few members of the Senate Armed Services Committee. That is not informing the Congress. That is cheating me as a member of the Congress and the people that I represent of the knowledge and the information to which the citizens of this country are entitled.

Mr. Chairman, the CIA for the first time in the history of this nation has introduced a secret agency into our government. It may have been necessary in 1947. You, Mr. Chairman, stated on July 2 that "everybody realizes the way the world is today we need an agency like the Central Intelligence Agency." That is your conviction honestly arrived at but I as a member of Congress also have the right to have the basic information so that

I can make some judgment as to whether we do in fact need a CIA today.

The senior members of the House and of the Senate have conspired to prevent the younger members of the House and of the Senate knowing anything about the CIA. I think that the younger members of the House and of the Senate have a right to resent that type of treatment. Their constituents also have a right to deplore the arrogance of senior members of Congress alleging or pretending that the CIA has adequately informed them of the budget and the activities of the CIA.

Mr. Chairman, Mr. Colby would not even disclose on July 2 the nature and the makeup of the so-called 40 Committee, a secret group accountable to the National Security Council. Dr. Kissinger is the chairman of the 40 Committee. Is it not incongruous that the Senate has the right to confirm the appointment of Mr. Colby, the Director of the CIA, but has no right to confirm Dr. Kissinger or even to compel him to come and testify? Similarly the Congress knows virtually nothing of the super-secret clandestine 40 Committee—a group which over the past 10 years or more has involved this nation, without its advice or consent, in ill-advised wars, known and unknown, all around the world.

Mr. Chairman, Mr. Colby has done "intelligence" work for most of his adult life. He believes in the apparatus set up by the 40 Committee. He believed in the Phoenix program in South Vietnam. He believes in sending American citizens to other nations who will pretend that they are not employees of the CIA.

Mr. Chairman, I hope fervently that the world of secrecy in government that created all of these horrendous things in which Mr. Colby has been involved for so many years is coming to an end.

I would therefore urgently plead that the confirmation of Mr. Colby be delayed until the members of Congress can review the National Security Act of 1947, can question Mr. Colby extensively, can establish Congressional review of the budget of the CIA and, in short, raise and resolve this basic question: Does the United States in 1973 want or need a clandestine CIA headed by an individual who carried out the most despicable part of the war which most Americans feel was the greatest mistake the United States ever made?

NEW YORK TIMES
27 July 1973

SENATE BILL BLOCKS FOREIGN VOTE ROLE

WASHINGTON, July 26 (AP)—The Senate passed a bill today providing criminal penalties for offering funds to a United States Government employee or agency to influence a foreign election. Acceptance of such money would also be a crime.

The bill, approved without dissent on a voice vote, is an outgrowth of an investigation by a Senate Foreign Relations subcommittee into the involvement by the International Telephone and Telegraph Corporation with the Central Intelligence Agency in efforts to block the election of Salvador Allende as president of Chile in 1970.

A C.I.A. agent, William V. Broc, testified at a hearing that Harold S. Geneen, board chairman of I.T.T., offered to assemble a substantial fund to support any government plan to keep Mr. Allende from taking office. The offer was rejected.

The bill, which now goes to the House, specifies a maximum penalty of five years in prison and \$10,000 fine.

COURIER EXPRESS, Buffalo
7 July 1973

Redefining Operation Lines for the CIA

With the deluge from Watergate roaring in the background, it was refreshing that an open hearing was held in the Senate that touched on CIA policy matters. And it was encouraging that William E. Colby, nominated to be director of the intelligence agency, assured the Armed Services Committee that he would not let the CIA get involved in domestic spying again, that he would rather resign than let the agency violate its charter.

That charter supposedly forbids domestic spying or surveillance by the CIA, the kind it got involved in through convicted Watergate burglar E. Howard Hunt. However, there is some reason to believe that the charter—the 1947 National Security Act—should spell out more exactly what the CIA's limits are. Colby said he would welcome such revision. Because of this—and also because of abuses of wiretapping pro-

cedure apparently authorized by the 1947 law—it seems to us that the responsible Senate committees might well launch a review with an eye toward clarification—or excision—of those sections which have come under question.

We regret that the Armed Services Committee didn't question Colby (who once ran a controversial "pacification" project in South Vietnam) closely about operations of the CIA's "clandestine" Laotian army. Presumably this will have to end Aug. 15, but the committee ought to get specific assurances on the point. It's an operation whose very existence was long denied and whose source of funding nobody seemed to know much about for years. This is the type of operation that sucks the nation into internal strife in other countries where we have no business intervening, and Congress certainly needs to do all it can to prevent that from happening again.

WASHINGTON STAR

27 July 1973

Colby OK Is Likely Despite Watergate Taint

By Oswald Johnston
Star-News Staff Writer

Despite lingering doubts over the CIA's possible role in Watergate and its documented role in Southeast Asia, William E. Colby has moved to within a final floor vote of Senate confirmation to be director of Central Intelligence.

With only Sen. Harold R. Hughes, D-Iowa, dissenting, the Senate Armed Services Committee yesterday agreed to approve Colby's nomination.

The vote was taken with the record of Colby's confirmation hearings still incomplete in two key areas. Written questions, seeking written replies, were submitted Monday for more information on agency actions in Watergate and in Vietnam and Cambodia.

The Watergate questions were submitted by Sen. Edward M. Kennedy, D-Mass., a non-committee member who was given rare access to Monday's closed hearings. They are understood to concentrate on problems surrounding the CIA's relationship with early stages of the grand jury investigation of Watergate, in which agency officials are said by informed sources to have been only grudgingly cooperative.

UNTIL KENNEDY'S intervention, congressional investigation of CIA relations to Watergate had concentrated on two areas:

Aid to Watergate conspirators E. Howard Hunt and G. GORDON Liddy when they were planning the burglary of Daniel Ellsberg's psychiatric records in 1971; and relations with White House officials seeking to enlist agency cooperation in interfering with an FBI probe of the Watergate break-in.

A third Watergate problem involving the CIA has only been hinted at in testimony, depositions and other public statements in the past three months. But it clearly grows from the fact that the former chief Watergate prosecutor, U.S. Atty. Earl J. Silbert, was not told the details of the 1971 link with Hunt until shortly before the January trial of the Watergate defendants. Silbert did not learn of the Ellsberg burglary until late in April.

Kennedy's investigation of Silbert's problems with

the CIA have evidently focused on Colby because the director-designate during all of 1972 held the chief administrative post in the agency, and as such was assigned by the former director, Richard M. Helms, to coordinate Watergate matters with other investigative agencies in the government.

COLBY DOES NOT seem to have had any part in the June 1972 meetings at which Helms and the deputy director, Gen. Vernon A. Walters, were urged by White House officials to interfere with an FBI probe of Republican campaign funds related to Watergate.

But available public records suggest that he was omnipresent when Silbert sought to check out Hunt's past CIA background in his pretrial investigation last fall.

CIA documents describing the relationship with Hunt before the 1971 Ellsberg burglary were turned over to the FBI's acting director, L. Patrick Gray, in early July 1972. But these appear not to have reached Silbert until the following November.

On Oct. 11, Silbert sought to smoke out the CIA-Hunt link in a series of written questions addressed to the agency. According to one well-informed account, Helms tried to intervene with then Atty. Gen. Richard Kleindienst in an unsuccessful effort to keep a full account of the agency's dealings with Hunt out of the prosecutor's hands.

IN ANY EVENT, it took a full-scale review of the material by Kleindienst himself and Asst. Atty. Gen. Henry E. Petersen on Oct. 24 before that aspect of the investigation developed.

Silbert himself did not see the letters and memos describing the CIA supply during 1971 of disguises and other material to Hunt until Nov. 27. He followed up his earlier questionnaire, still unanswered, with added written questions Nov. 29.

A preliminary answer to Silbert's questionnaire finally was supplied by CIA authorities Dec. 13.

WHILE COLBY'S name has barely been mentioned publicly in connection with Watergate, it is understood that he did most of the actual negotiation with the prosecutor and the Justice Department over these matters.

And while Silbert, who has now resigned from the Watergate investigation, declines comment, it was understood the prosecutors feel their early investigation was hampered by the CIA refusal to come forward with information regarding Hunt and his aliases, for example, which instead had to be developed for the grand jury through a lengthy investigation of all the hotels that Hunt and Liddy stayed at during their travels as White House operatives.

After the CIA reply, Silbert still sought more documentary evidence. On Dec. 5, Helms and Colby met directly with John W. Dean III and Hohn D. Ehrlichman, then still White House aides, in order "to review facts to be submitted to the U.S. attorney re Hunt," Ehrlichman later testified.

At that meeting, it was evidently decided that the CIA would prepare a memo for Silbert describing the genesis of Hunt's 1971 relationship with the agency, but that Ehrlichman himself, who was implicated in CIA records, would first see it to review it.

ON DEC. 16, according to an Ehrlichman account, Ehrlichman telephoned Marine Commandant Gen. Robert E. Cushman Jr., who was CIA deputy through 1971, to discuss with him the memo Cushman was to prepare for Silbert. Cushman, then out of the agency for a year, had been requested by Colby to clear his memo through Ehrlichman, the Marine general later recalled, so he found nothing unusual in

this.

Neither, evidently, did he find it out of the ordinary in early January when Ehrlichman asked him to tear up his first memo, which named Ehrlichman in relationship to the CIA-Hunt contact, and prepare another, more vaguely-worded memo from which Ehrlichman's name would be absent.

The committee action yesterday seems to make it plain that Colby's quiet but omnipresent role in these transactions will not be held against him, but rather interpreted to reflect instructions from Helms or higher authorities.

THE CAMBODIA question is likewise problematical. While the State Department has disputed a recent Star-News report that 10 U.S. officials assigned to provincial posts in Cambodia are military advisers in contravention of a congressional ban on such activities, it is reliably reported that most of them are either veterans of the secret CIA war in Laos or CIA operatives recently assigned to the area.

The State Department, while claiming the men as their own, has declined to identify them. But department officials tacitly admit they are not regular Foreign Service officers, but rather reserve officers — the designation generally applied to CIA men attached to an embassy with assignments that require only formal, rather than functional, cover.

Here again, Colby is evidently understood merely to be fulfilling his duty as a CIA professional, in this case following policy directives of the National Security Council — President Nixon and his top foreign policy adviser, Henry A. Kissinger.

Colby's approval by the Senate was regarded as all but certain.

NEW REPUBLIC
21 July 1973

Kid Gloves

Although the Central Intelligence Agency has been "exposed" time and again in books, newspapers, magazines and on television, its budget has never been officially disclosed; its organizational structure and projects are classified; and the names of its estimated 16,000 employees are secret. The extent and nature of its activities in such places as Laos, Iran and Chile are unknown. Equally obscure is the degree to which, by its association with the accumulation of scandals labeled Watergate, it has violated the law barring it from domestic operations. So there was a rare opportunity for enlightenment the other day when, in an unprecedented move, William Egan Colby openly appeared before the Senate Armed Services Committee to testify on his nomination as the new CIA director. Originally advertised as an "in depth" examination, it barely scratched the surface. Despite all the talk in Congress over the years for stricter surveillance of the CIA, only one of the committee's 15 members, Senator Stuart Symington (D, Mo.), ignored the summer recess and attended the hearing. And Symington's 90-minute interrogation was so mild it might have been prearranged by the agency's public relations bureau.

Symington prompted a denial by Colby of charges that the CIA had "engineered" the 1967 coup in Greece. But the senator did not press for details when Colby ducked answering whether Greek President-designate George Papadopoulos was ever on the agency payroll. Nor did he pose any questions about John Maury, the CIA station chief in Athens at the time of the coup, who sat next to Colby during the session in his present capacity as the agency's congressional liaison man. Similarly Symington elicited Colby's denial that the CIA had been connected with the ouster of Prince Norodom Sihanouk as Cambodian chief of state in 1970. But he did not ask Colby to explain the involvement of an agency operative by the name of Victor Matsui, now serving in the Ivory Coast, in an abortive attempt to overthrow Sihanouk in 1959. As for the CIA's considerable role in running the covert war in Laos, Symington rather blandly accepted Colby's explanation that the United States could not

have become engaged in that country except in a clandestine manner. While stating that the agency is "unlikely" to become involved in another Laotian-type operation, Colby nevertheless pointed out that the National Security Act of 1947 authorizes the CIA to go beyond its intelligence capability "to perform such other functions and duties affecting national security as the National Security Council may direct."

Citing another passage of the 1947 act that bars the CIA from exercising "police, subpoena, law enforcement powers or internal security functions," Colby affirmed that the agency would not engage in domestic espionage; if necessary he would even quit his job rather than carry out instructions that he deemed to be illegal. But under Symington's flaccid questioning Colby carved out loopholes large enough to justify a number of dubious operations. He conceded that it had been a "mistake" for the CIA to provide Watergate conspirator E. Howard Hunt, Jr., with the equipment to burglarize the office of Daniel Ellsberg's psychiatrist. And except to examine applicants for agency jobs, he would not prepare the kind of "psychological profile" that had been done on Ellsberg. Yet he declined to pledge that "we will never give any other agency of the United States government help which it might use in its responsibilities." Moreover he could envisage a situation in which "it would be appropriate" for the CIA to help a White House official "without its coming to public notice." Symington never even raised a question about the July 1970 domestic intelligence-gathering plan under which the CIA would keep tabs on Americans abroad.

It may be that Colby will be more circumspect than his predecessors. But judging from his testimony there is nothing except the agency director's sense of propriety to restrain a President from turning the CIA into an American version of the Soviet KGB. It is more urgent than ever that the Congress find ways to control the agency that are more effective than the present oversight arrangement, which is virtually moribund. The Colby hearing suggests, however, that congressional concern about the CIA and the rest of the intelligence community is more rhetorical than real, and that the agency will continue to be accountable only to itself and the White House.

NEW YORK TIMES
17 July 1973

Checking on the C.I.A.

To the Editor:

Lyman B. Kirkpatrick becomes more incredible every time he writes. On May 17 he wrote in The Times that "the Congress has done a good job of checking on C.I.A. activities." On June 18, in reply to my June 7 letter rejecting that preposterous assertion, Mr. Kirkpatrick claims that, at least until 1965, the House and Senate Appropriations Committees were well informed on the budget and activities of the C.I.A.

Mr. Kirkpatrick overlooks the following facts:

1. When Congress created the C.I.A. in 1949 it exempted it from the legislative oversight, to which most Government agencies are subjected.

2. In the last two decades more than 200 bills aimed at making the C.I.A. accountable to Congress have been introduced. None has been en-

acted.

3. On July 17, 1972, the Senate Foreign Relations Committee reported out a bill requiring the C.I.A. to submit regular reports to Congressional committees. The bill died in the Senate Armed Services Committee.

4. On Nov. 23, 1971, Senator John Stennis and Senator Allen Ellender—then the chairmen of the Armed Services and Appropriations Committees as well as of their C.I.A. oversight subcommittees, said that they knew nothing about the C.I.A.-financed war in Laos—surely C.I.A.'s biggest operation. (Congressional Record page S19521-19530)

Mr. Kirkpatrick's statement on May 17 that "Congress has done a good job of checking on C.I.A. activities" is typical of other fantasies contained in Mr. Kirkpatrick's book "The Real C.I.A."

ROBERT F. DRINAN
Member of Congress, 4th Dist., Mass.
Washington July 2, 1973

MORNING GLOBE, Boston
15 July 1973

THOMAS OLIPHANT

The CIA: an Old Boy, an old game

WASHINGTON — It's Old Boy time again at the Central Intelligence Agency.

In a sense, it's too bad for the White House that the Harvard-Yale-pin stripe-pipe crowd at CIA didn't take command as asked of the Watergate coverup last summer, because chances are they could have done a much better job than all of Nixon's bright young men.

After all, the CIA has been succeeding at camouflaging its blunders and scandals for years, almost since the date of its establishment in 1947.

The agency has helped overthrow elected governments in Guatemala and Iran, muddled mercifully in the affairs of countless others, dabbled in Chile with greedy ITT Corp. operatives, sent Francis Gary Powers and his U-2 on their summit-wrecking way, produced the Marx Brothers' version of warfare known as the Bay of Pigs, and bribed student groups, labor unions and other private associations with laundered public monies.

Not to mention, of course, E. Howard Hunt's wig and "voice alteration device" for the Ellsberg doctor

caper, and the fact that the White House's would-be domestic super spy, Tom Charles Huston, wrote in one of his famous memos that former CIA director Richard Helms had been "most cooperative and helpful" regarding the allegedly aborted Nixon plan to bug, burgle and bother "domestic subversives."

And then there was Indochina. Some will cite the agency's rather uncanny record of accuracy in deflating phony official optimism, but on a moral plain the secret devastation of Laos and the murder-once-removed direction of the Phoenix program in South Vietnam loom larger.

Ultimately, something about all these sorry episodes has become known, but not a single basic change in the CIA has been made as a result and no higher-up has ever gotten seriously hurt. That's a fair functional definition of a successful cover-up.

And now the Senate is about to confirm as the agency's new director one William Colby, an Old Boy if ever there was one. Up from the ranks, especially CIA's dirty deeds division, Colby has had a finger in most of the agency's unsatisfactory past, including above all the Phoenix program.

While in Vietnam with Ambassadorial rank as a cover and responsibility for that great euphemism, pacification, Colby also has charge of the assassination effort. To be precise, we fingered the victims, and it was typically the South Vietnamese who "neutralized" them to the tune of around 20,000 a year, the actual number perhaps never to be known.

Officially, the victims were supposed to be detained only, but Colby was repeatedly told they were in

fact routinely shot and written reports amounting to body counts were sent to his office regularly.

Colby did nothing about the situation. In other words, he let the United States serve as the collective finger man and banker for a bunch of hit men.

But he's still virtually certain to be confirmed by the Senate.

Once ensconced, the remaining question is how closely he will be watched by Congress. Don't count on it. Until the Watergate and related matters surfaced, the committees charged with overseeing the agency's work hardly ever met, much less pressed specific inquiries.

Meanwhile, there seems to be only the usual minority liberal interest in getting rid of one of the basic causes of the CIA's problems: to wit, the monumental escape clause in its charter that lets it do absolutely anything the President's National Security Council assigns it to do.

In short about the only thing new at the CIA these days is the impending arrival of a new Old Boy to run the place under all the discredited old ground rules.

Five years ago, after the exposure of the CIA secret funding of student groups and labor unions, a bunch of Old Boys got together secretly at the Council of Foreign Relations in New York to talk, not about reform, but about how to get successfully away with such capers in the future.

Despite all that's come out in the last few months, with Colby waiting in the wings there's no reason to believe such a meeting isn't going on right now.

WASHINGTON POST

22 JUL 1973

VIP

Dead Begonias

By Maxine Cheshire

If he isn't in jail by then, convicted Watergate burglar James W. McCord Jr. is going out on the college lecture circuit this fall at a fee of \$1,000 per speech. Although he once taught courses in criminal law and is accustomed to addressing large groups, he had almost as much trouble finding a lecture agent as he did someone to publish his book. Several lecture bureaus turned him down because they considered his subject matter too controversial.

SUN-TIMES, Chicago
21 July 1973

Senate recalls CIA-nominee Colby for more questioning

By Thomas B. Ross

Sun-Times Bureau

WASHINGTON — President Nixon's nominee for director of the Central Intelligence Agency was ordered Friday to return for Senate questioning on allegations of misconduct by him in Vietnam.

It was also learned that Watergate Special Prosecutor Archibald Cox visited Sen. Stuart Symington (D-Mo.), acting chairman of the Armed Services Committee, on Thursday to discuss charges that the nominee, William E. Colby, may have been involved in the Watergate cover-up.

At the same time, Sen. John C. Stennis (D-Miss.), the convalescing chairman of the committee, sent a letter from Walter Reed Army Medical Center indicating that the Watergate scandal has prompted him to draft changes in the legislation that created the CIA in 1947.

Stennis, recuperating from gunshot wounds suffered in a holdup in February, declared: "The experience of the CIA in Laos as well as more recent matters have caused me to definitely conclude that the entire CIA Act should be fully reviewed."

Symington said it has now become clear that, under orders from the White House, the CIA has been taking part in activities their "original charter did not justify doing."

He pointed out that the administration authorized certain foreign and domestic CIA operations, outside the original intent of Congress, on the basis of a loophole in the law that says the agency can perform "other functions and duties" besides pure intelligence work on orders of the National Security Council.

Stennis' letter to Sen. Edmund S. Muskie (D-Me.) suggested his committee might exercise tighter control over the CIA.

Stennis wrote that he already had directed committee staff members to work on a revision of the 1917 National Security Act and that he had drafted tentative amendments. He did not specify what changes he wanted.

Symington announced the recall of Colby during an unprecedented public session de-

voted to criticism of the nomination. Although Symington has indicated he will vote for confirmation, he said: "We have to have Colby back to discuss matters being laid out in good democratic fashion before Congress and the people."

Symington acted after hearing charges by Rep. Robert F. Drinan (D-Mass.) that Colby played a "despicable part" as head of the pacification program in South Vietnam from 1968 to 1971.

Drinan, a Jesuit priest, was part of a team of clergymen and laymen who studied the program on the scene in 1969. He said Colby was the "chief architect" of a scheme to repress all political opposition to President Nguyen Van Thieu, including "sweeping injustices done to thousands of Vietnamese."

Drinan's testimony was supported by David Harrington

and K. Barton Osborn of the Committee for Action Research on the Intelligence Community. The two men, both with long service in Vietnam, said Colby looked the other way while thousands of Vietnamese were killed or assassinated.

Paul Sakwa, a former CIA official, accused Colby of being an "uncontrollable agent" who disregarded orders and slanted reports. Sakwa was head of the Vietnam covert activity branch at CIA headquarters here during the early 1960's while Colby was the agency's station chief in Saigon.

Sakwa said Colby ignored orders he didn't like, failed to reply or delayed his reply until after his own plans had been put into effect. Sakwa ascribed Colby's conduct to his experience in the free-wheeling World War II Office of Strategic

Services, whose alumni Sakwa said still "really run the agency."

Stennis' reference to "recent matters" in which the CIA had come under suspicion evidently related to the use of agency equipment in the burglary of the office of Daniel Ellsberg's Los Angeles psychiatrist.

Robert C. Mardian, former assistant attorney general and high-ranking officer of the Nixon re-election committee, testified Thursday that Watergate conspirator G. Gordon Liddy also told him that CIA assistance was provided in spinning away Dita Beard, a key witness in the International Telephone & Telegraph Corp. scandal.

Cox' meeting with Symington reportedly was related to an assertion by Gen. Robert E. Cushman Jr., Marine Corps commandant and former deputy director of the CIA, to the effect that Colby advised him to clear his testimony on the Ellsberg case with John D. Ehrlichman, then No. 2 White House aide, before giving it to the Watergate prosecutors.

LEDOER-STAR, Norfolk
5 July 1973

Colby's pragmatic answers

Because he has been a covert agent himself for most of his 22 years in the Central Intelligence Agency, William E. Colby was little known to the American public before his nomination to be chief of that organization.

But following his Senate Armed Services Committee testimony, the country knows something of his manner and his philosophy—and the impression he has left is a good one.

The chief virtue of his testimony, under the insistent but friendly questioning of Aeling Committee Chairman Stuart Symington, was its candor and its logic.

Asked about the possibility of the CIA helping the White House—a question brought about by the Watergate entanglement—Mr. Colby resisted the temptation to piously disclaim any such future contact. Instead he said that while mistakes had been made in the past he could envision a situation in which it would be appropriate for the CIA to help a White House official without its coming to public notice.

And of course that could and may well happen.

There was other frankness in a

similar vein, with the nominee expressing his own reservations about too large an extension of CIA operations, while noting at the same time that the existing law and the chain of authority could still bring the CIA into areas which have been the subject of past criticism.

The answer to problems such as this lies in large part in changing the law where it is too flexible and in making sure that top-level national policy itself is kept within proper bounds.

There are those, granted, who have reservations about Mr. Colby and his clandestine past in an agency so often under fire for foreign involvements and its hidden influence. However, the nominee has been on the griddle before for matters in which he had a role, such as the "Phoenix" program which brought the deaths of so many thousands in the Viet Cong "infrastructure," and he acquitted himself well then, too. His recent hearing performance has presented for even broader public examination a kind of honesty and pragmatism which clearly strengthen his candidacy.

PLAYBOY
August 1973

Excerpted from Playboy Interview with David Halberstam.

PLAYBOY INTERVIEW: DAVID HALBERSTAM

a candid conversation with the pulitzer prize-winning vietnam journalist and best-selling author of "the best and the brightest"

Kennedy Administration, a sense of a beginning, of a kind of new candor and a new honesty in Government. All that was wiped out by the lies about Vietnam.

And then we had the Nixon Administration: These were hard, mechanistic, functional manipulators. I think they had very little belief in the democratic process as we think of it—of responding to and caring about the electorate or raising an issue to its highest level. They thought that people were something to manipulate—and they were contemptuous not just of the Congress but of the President's Cabinet itself. And they were constantly congratulating themselves on how hard they worked when, as Hugh Sidney pointed out in *Time*, most of their hard work consisted of covering up their own mistakes. I think what Nixon's people really cared about was what was in it for them, and whether they could get away with it. I think that's why Watergate became such a scandal. You know, why not bug? They had a lot of money; they had a couple of ex-CIA guys around, so why not? They were so goddamn sure of their own course. John Mitchell, in all his statements now, is trying to rationalize his conduct. He says he didn't do it; he talked to them against it. Well, of course, what he should have said the moment they brought up the idea while he was present—and he now admits that he was present—was: "Well, gentlemen, your ideas for the Watergate are really very interesting. I just want to tell you one thing. I'm chief law-enforcement officer of this country, and if you do what you say you're going to do, I'm going to bust every one of your asses into a thousand pieces." And that would have been the end of Watergate.

PLAYBOY: But he didn't say that.

HALBERSTAM: No, he didn't. And that's Mitchell for you. He thought they could get away with it.

PLAYBOY: It looked at first as if they would. McGovern and the other Democrats tried to make an issue of Watergate in the 1972 elections, but it never really caught on. Why?

HALBERSTAM: At first it didn't really project. The sheer darkness and implications of what it meant for the democratic society—that the Government itself, the state, would actually commit crime, bug the opposition party, bug the Democratic National Committee, play games with Muskie, McGovern and people like that—didn't come through to a lot of citizens out there in what is now called middle America. They didn't realize what a quantum jump it was from your average

political abuses to Watergate. I think it was because the excesses of the war had numbed the moral sensitivity of the country. I think a bad war begets so much social protest that the people are just numb.

And there's another point—something that I think has happened to us as a country. We've been involved in this great Cold War thing for 20 years, and there has developed a kind of mentality—particularly evident in the CIA—that rationalized that if the Communists were doing something, we had to do it as well. Match force with force, their dirty tricks with our dirty tricks. No matter how bad we are, we told ourselves, the Soviets and the Chinese are worse. If that goes on long enough, not only do you become morally indistinguishable from what you're fighting but antidemocratic actions become acceptable here at home, too. A man like E. Howard Hunt, the ex-CIA agent, sees himself as a heroic figure.

It's a legacy of this whole goddamn Cold War. The same mentality was evident in the planning for Vietnam in 1961 and 1965, when otherwise quite moral and intelligent and rational men allowed themselves to do all kinds of devious and dubious things. Mac Bundy is a better man than either Haldeman or Ehrlichman; he only rationalized going into Vietnam from the Tonkin Gulf. But sooner or later you get a guy a notch down from Bundy, and in a couple of years we have Ehrlichman saying to Hunt and Liddy, "OK, go break into Ellsberg's psychiatrist's office—on your own, of course." It really has come full circle. What is astonishing is the mentality behind it all: how small and how narrow, how insensitive to people's rights—and at a sheer pragmatic level, how stupid to risk so much to learn so little.

PLAYBOY: Some of those "games" that the Committee for the Re-election of the President played with McGovern and Muskie were really rather serious. How about things like the phony "gays for McGovern" and the smutty-letter campaign in Florida?

HALBERSTAM: This is a very important point, because what you really had with the coming of Hunt and Liddy and those Cubans underneath them was the first instance, at least to my knowledge, of the use of the CIA in the domestic society. Ex-CIA agents—if there is such a thing as an ex-CIA agent—and the people beneath them have perpetrated such outrages as beating up Ellsberg, bugging the Democratic National Committee. All these dirty tricks—classic CIA gimmicks

for use in little countries throughout the world—have now been employed against American citizens here at home. How dare they? What was this half-FBI, half-CIA, extralegal elite corps of mercenaries with Ehrlichman and Haldeman as members? Who were they? Where did they come from? Is Gordon Liddy or Dan Ellsberg the greater threat to our liberty? I don't think Ellsberg is very much of a threat to anybody's liberty. But, by God, I think the people who buglarized his psychiatrist's office are sure as hell a threat to our liberty.

The idea of using the muscles of Government, of the Executive Branch, to harass, to commit violations of personal liberty against either an individual or another party is absolutely chilling. It's not the way it's supposed to be. And there are more and more tricks with which to work, a lot of electronic gimmicks they can use now. God knows what they can do; a tiny button can probably pick up things a hundred miles away now or some damned thing like that. And they have enough money to do absolutely whatever they want. If they don't have an ethical sense—which they clearly do not have—we're in grave danger.

PLAYBOY: What kind of guarantee can we have that people in Government will have such an ethical sense?

HALBERSTAM: Quite clearly, there is none. There are always going to be threats to liberty, and by and large they are posed by men who are always claiming that they're in the vanguard of liberty—and law and order. Hunt and Liddy and Ehrlichman and Haldeman thought they were great professional patriots, and that made it all right to do whatever they damn well pleased. What is that Samuel Johnson line? "Patriotism is the last refuge of a scoundrel." It's really true.

THE CHRISTIAN SCIENCE MONITOR
21 July 1973

World reacts to eavesdropping

Forthrightness of future White House talks in jeopardy?

Compiled from reports of
staff correspondents and special correspondents of
The Christian Science Monitor

Will the next head of government who visits the White House weigh his words more carefully after this week's disclosure at the Senate Watergate hearings that President Nixon has been taping conversations since early 1971?

Japanese Premier Kakuei Tanaka, who is likely to be that visitor, is remaining tactfully mum on that question, as are most official spokesmen around the world.

Unofficially, however, reactions range from nonchalant acceptance to shocked distaste and disappointment.

When the next foreign dignitary visits President Nixon, joked a West German official, he should take his own portable "Faraday cage," set it up on the White House lawn, and invite the President in for a private talk.

A Faraday cage is a small, metal-walled room immune to bugging from outside because of an electric current running through the walls.

Despite his effort to be humorous, this official, like many other West Germans, was actually shocked at the news that Mr. Nixon had his conversations in the White House secretly recorded.

"It is something that you would expect to happen in Moscow," he noted seriously.

German press

The West German press has strongly condemned the bugging.

Commenting on the "wall spys," the conservative and respected Frankfurter Allgemeine stated:

"All Americans and all foreigners who in recent years believed they had a confidential talk with the master of the White House must now feel duped.

"This, the paper added, will impair the reputation of U.S. world power and its supreme office."

Canadian reaction has been one of profound distaste, but not of shock or surprise.

Prime Minister Pierre Elliott Trudeau has decided at least in public — to down-play the matter.

In response to questions in the House of Commons on Tuesday, Mr. Trudeau said that he "had no knowledge then and none now" that his private talks with Mr. Nixon in Washington in 1971 were recorded. He said he would continue to assume that such conversations "are private and privileged."

The tone of Canadian press comment has been more snide than shocked.

The Toronto Star, Canada's largest newspaper, commented:

"Let not history fail to record that the bugging in the Oval Office could have been ordered by only one person — the man who had sworn to safeguard the laws of the land, the upholder of the Constitution, the guardian of civil rights, the President of the United States."

The Toronto Globe and Mail took a semihumorous stance in an editorial entitled "Low Ethics in High Places":

"We contemplate the case of the visiting prime minister from Botswana or Canada or wherever — entering the Oval Office of the President of the United States for a chat.

"Now then," says Richard Nixon, "if you would sit down close beside the bowl of plastic daffodils . . . closer . . . closer, please . . . thank you [click] . . . now, what is it we're going to discuss?"

The paper concluded: "Mr. Nixon might have shown some familiarity with respectful behavior."

The Soviet media have maintained silence over the bugging disclosures — as they have maintained silence over almost all of the Watergate disclosures — and no one could be found in Moscow who would comment.

Foreigners living in Moscow, however, frequently express the belief that their offices, apartments, and phones are bugged.

Britain's Heath surprised

The fact that all his conversations with President Nixon in the White House last February, and earlier, were tape-recorded has come as a complete surprise to British Prime Minister Edward Heath.

Those close to him say he is not particularly worried now that he does know unofficially. Apparently he does not consider he has been "bugged" in the sinister sense of that word.

In Downing Street some telephone calls may be recorded for security reasons. But when official visitors come to No. 10 for confidential talks no recordings are ever made.

Sir Burke Trend, Cabinet secretary, may take notes which are later transcribed into a written report, which is filed for future reference.

Among Arab heads of state, Kings Hussein of Jordan and Faisal of Saudi Arabia have visited the White House since the bugging was reportedly instituted by President Nixon. Neither had any reaction.

The disclosure might produce more shock in Saudi Arabia than elsewhere. Hospitality and the immunity of the guest, whether or not he is a close friend, are solid and sacred traditions in the older and more conservative Arab societies.

A guest being received by a monarch would likely not be taped. It is Arab custom, if a record of an audience, conference, or interview is wanted, for a secretary or an aide to take notes. This is done openly.

Future high-level Mideast visitors to Washington will henceforth doubtless be doubly wary of their words.

At the United Nations secrecy is a diplomatic art that representatives of foreign countries cherish but few have any illusions that it is always respected.

Cynical acceptance at UN

This perhaps explains the surprising degree of cynical acceptance among UN diplomats of the taping of conversations at the White House.

Was he surprised about these disclosures, a Scandinavian diplomat at the UN was asked.

"No, not really," he replied. I expect it. Maybe

"because I have lived in Moscow and feel, as a foreigner, I was prone to be recorded. I won't say I enjoy it, but in the Orwellian type of society we are entering we may regret it, but it is the way it is."

Another diplomat suggested the only difference between the old-fashioned listening at European chamber keyholes and modern electronic eavesdropping was the more sophisticated means of doing it.

As widespread as the practice may be, diplomats were agreed that all parties should at least be apprised of being taped before consultations, or private conversations began.

Does UN Secretary-General Kurt Waldheim tape-record conversations with guests to his 38th-floor office?

"Certainly not," came the frosty answer from UN spokesman William C. Powell.

One delegate suggested the press might be over-reacting.

"Everybody knows one is on record anyway. On a delicate point I wonder if the choice of words used would be influenced by any recording of that kind."

The real danger as diplomats saw it was that the forthrightness that might accompany a "between ourselves" session now may be drastically diminished and the confidence and trust so essential in diplomacy be replaced by a more formal and cautious approach.

Contributors: David R. Francis, Bonn; George Radwanski, Montreal; Leo Grulow, Moscow; John Allan May, London; John K. Cooley, Beirut; David Winder, United Nations; Elizabeth Pond, Tokyo.

WASHINGTON STAR

CROSBY S. NOYES 17 JUL 1973

Foreign Relations Committee Outrage

The rejection by the Senate Foreign Relations Committee of the nomination of G. McMurtrie Godley to be assistant secretary of State for East Asia is simply outrageous. It implies something more than the worst display of petty vindictiveness that the committee has yet mounted.

It implies, to put it mildly, a kind of neo-McCarthyism that can make for real trouble for a long time to come. It implies, most explicitly, guilt by association. It implies a continuing ideological vendetta between the leadership of the Senate and all those who executed the policies of the U.S. government, through successive administrations, during the period of the war in Vietnam.

It is said that this is the first time this sort of thing has happened in a long time, and I can readily believe it. Quite certainly, it is the first time a career Foreign Service officer has been denied a position of high responsibility in the State Department because he did his last job too enthusiastically and capably.

Godley's sin, in the eyes of nine members of the Senate committee, was that he served as American ambas-

sador to Laos from 1969 until a few months ago. During that time, he played a major part in running the American end of the so-called "secret war" in Laos

— which everyone knew about except the Senate Foreign Relations Committee — and succeeded, among other things, in preventing Laos from falling completely into the hands of the North Vietnamese and the Communist Pathet Laos.

This, plus the fact that Godley has been quoted as saying that he "thoroughly enjoyed" his four years in Laos, was quite enough to damn him in the eyes of a majority of the committee. The fact that he is thoroughly qualified to do the job for which he was nominated could not have mattered less so far as the committee was concerned. In the end, three Republicans — all Vietnam doves — joined six Democrats in laying aside the nomination indefinitely, thus effectively killing it.

Condescendingly, the committee chairman, Sen. J. William Fulbright, D-Ark., admitted Godley's qualifications. He would be perfectly acceptable in some other post, the chairman informed Secretary of State William P. Rogers.

But he was "so intimately associated with Vietnam policy and such an enthusiastic activist" of American policy in Southeast Asia over the last several years that he simply wouldn't do as assistant secretary for the same area.

Curiously enough, at the same time, the committee voted decisively in favor of confirming Godley's predecessor in Vientiane, William H. Sullivan, as ambassador to the Philippines. Condescendingly, Fulbright — who voted against the Sullivan nomination — explained that it was a "less important" job and therefore presumably of less concern to the committee.

There are other differences as well. Sullivan is one of the smoothest apples in the business, while Godley is something of a rough-cut breed of diplomat who is inclined to say what he thinks to anyone who asks him. Sullivan, furthermore, has had the active support of Averell Harriman, whose political views vacillate according to which party is in power but who still packs a considerable punch in Congress. And perhaps most important, Sullivan has been closely — and very favorably — associated

with the peacemaking efforts of presidential adviser Henry A. Kissinger while Godley was still fighting a war.

Explainable or not, however, the action of the Senate committee still is a monstrous piece of injustice. It is not just that a good man has been rejected for an important job. The committee has taken this action to express disapproval of policies of the government with which it disagrees along with those who have had the very clear duty to carry out those policies as best they could.

It is fair to ask just what the senators think Godley should have done as ambassador to Laos except execute the policies of the administration that appointed him. Even Sen. Fulbright can hardly believe that he should have taken his orders from the Foreign Relations Committee, rather than the President of the United States. If this indeed is the manner in which the Senate proposes to assert its right to share in shaping American foreign policy, we are all in trouble.

In the long run, it can be every bit as destructive and demoralizing to the Foreign Service as the witchhunts of the McCarthy era when officers with blameless records were hounded out of the service for alleged Communist sympathies. If the Senate is seriously concerned about its role in foreign policy, it should promptly overrule the action of the Foreign Relations Committee and confirm the appointment on the Senate floor.

BALTIMORE SUN

17 July 1973

Key world leaders at bugged sites

Washington (AP)—The Soviet Communist party chief Leonid I. Brezhnev; West Germany's chancellor, Willy Brandt, and India's prime minister, Indira Gandhi, are among the world leaders who conferred with President Nixon at a time

when listening devices were in use in his office.

Others included Prime Minister Edward Heath of Britain, King Hussein of Jordan, King Faisal of Saudi Arabia, Prime Minister Golda Meir of Israel and President Tito of Yugoslavia.

Alexander P. Butterfield, a former presidential aide, told the Senate Watergate committee yesterday that Mr. Nixon had the devices installed in his offices at the White House, at the Executive Office Building across the street and at his cabin at Camp David, Md., in 1971. 16

WASHINGTON POST
15 July 1973

Ehrlichman Links CIA to Burglary

By Sanford J. Ungar
Washington Post Staff Writer

When Watergate conspirators E. Howard Hunt and G. Gordon Liddy organized a burglary at the office of Daniel Ellsberg's psychiatrist, they were told to provide material for the Central Intelligence Agency, among others, according to the latest private account by former presidential adviser John D. Ehrlichman.

At the request of David Young, then an aide to the National Security Council, Hunt and Liddy were to develop information for the CIA's use in preparing a "psychological profile" of Ellsberg, Ehrlichman says.

That version is in direct conflict with sworn grand jury testimony by Hunt, who has said that the CIA was called in to prepare the profile only after the burglary failed to produce useful information.

CIA officials have also said that, although they provided Hunt and Liddy with disguises and other "technical assistance," they had no interest or involvement in the burglary.

Ehrlichman's account, provided recently to a Washington Post reporter, also indicates, as President Nixon has previously, that the special supplementary White House investigation of Ellsberg was launched because of confusion and alarm over the leak of the Pentagon Papers.

(Ellsberg has long acknowledged that he was responsible for the leak. The case against him, on charges of conspiracy, espionage and theft of government property, was dismissed in May, after revelation of the burglary and other government misconduct directed against him.)

A Los Angeles County grand jury has been investigating Ehrlichman and those who worked under him on the White House "plumbers" squad in connection with the burglary.

Ehrlichman has insisted that he had no advance knowledge of the burglary and that he chastised Hunt and Liddy when he learned about it—although he did not report it to the appropriate authorities.

According to Ehrlichman's account, the White House was dissatisfied with the FBI's investigation of Ellsberg at the time of the Pentagon Papers leak and suspected that J. Edgar Hoover, then director of the bureau,

was holding back because of his friendship with Ellsberg's father-in-law, millionaire toy manufacturer Louis Marx.

That same theme was stressed last week in the testimony of presidential aide Richard Moore before the Senate select Watergate committee.

It has astonished and angered FBI officials who were connected with the original bureau probe of Ellsberg, which was underway more than a year before the Pentagon Papers were published.

Those who have inspected the bureau files on Ellsberg suggest that, if anything, they are too complete, since they include almost day-by-day accounts of his social life, telephone calls and recreational pursuits.

FBI sources have also said that Hoover could not have been constrained by his friendship with Marx, because it was widely known that the toy manufacturer had little to do with—and intensely disliked—his son-in-law.

Ehrlichman's version of events also sheds new light on his meetings during the Pentagon Papers trial with the presiding judge, W. Matt Byrne Jr., who was then a prime candidate to be named permanent director of the FBI.

The former presidential aide insists, for example, that his approach to Byrne in mid-trial was endorsed by then Attorney General Richard G. Kleindienst and that the judge felt there was nothing improper about a general discussion of his possible appointment to the FBI post.

In fact, according to Ehrlichman, it was Byrne who requested a second meeting with the Nixon aide and offered to return to the western White House at San Clemente, where the two men had met the first time.

The second meeting was instead held in a public park in Santa Monica near Ehrlichman's mother's home. That site was selected, according to Ehrlichman's account, because the presidential aide feared that Byrne would be seen visiting the Nixon compound in San Clemente.

Kleindienst could not be reached for comment on Ehrlichman's assertion that he had approved the ap-

NEW YORK TIMES
14 July 1973

M'CORD'S MOTIVE PUZZLES LAWYER

By MARJORIE HUNTER
Special to The New York Times

WASHINGTON, July 13 — Gerald Alch suggested today that his one-time client, James W. McCord Jr., may have been seeking to lay groundwork for a new trial by accusing him of trying to involve the Central Intelligence Agency in covering up the Watergate affair.

"That's only conjecture on my part," he said, "but it's the only way I can figure out why he's making allegations against me."

Mr. McCord, one of the convicted Watergate conspirators, has said repeatedly that Mr. Alch, at that time his lawyer, proposed last December that the C.I.A. be used as a cover for the break-in at Democratic National Committee headquarters in the Watergate complex the previous June 17.

Mr. Alch denied this, in an appearance before the special Senate Watergate investigating committee in May, and denied it again today as he emerged from three hours of questioning by a House Armed Services subcommittee also investigating the agency's involvement in the Watergate affair.

Wrote to Judge

Mr. Alch recalled that Mr. McCord wrote a letter to Chief Judge John J. Sirica in March, saying that he and others involved in the Watergate affair had been under "political pressure to plead guilty and remain silent."

Mr. Alch said further that Mr. McCord, in that letter, had told the judge that he had not advised his attorneys of this political pressure "as a matter of protection for them."

Noting that Mr. McCord has now moved for a new trial, Mr. Alch said: "My conjecture is that he has to overcome the barrier presented to him as to why he sat on the knowledge that he now claims to have had throughout the [first] trial."

"It could be that, by turning on me and implying that I was in some way a means of his not revealing this during the

approach to Byrne about the FBI job.

The former Attorney General has previously said, however, that he thought it was improper for Byrne and Ehrlichman to have such discussions while the trial was still in progress.

Byrne, through his secretary, declined to discuss Ehrlichman's recollection about the meetings, as he has previously.

Many of those who supported him for the FBI post have expressed their disappointment that he met with Ehrlichman, but they now suggest that if the judge initiated the second meeting, that fact could be grounds for impeachment or disbarment.

NEW YORK TIMES
14 JUL 1973

6 McCord Letters Are Sold for \$950 At an Auction Here

Six letters written by James W. McCord while he was working for the Central Intelligence Agency brought \$950 at an auction here last night after brief but spirited bidding by two veteran collectors.

To the winning bidder, Alan Ackerman, the letter may shed light on their author, a convicted participant in the Watergate break-in, and therefore on Watergate itself—"one of the most important events in American history," he said.

But Ron Von Klaussen, the losing bidder, said afterward that the letters, which contained oblique references to the receiver's "overseas friends" and "personalities" in Europe, might have been in a code that disguised information potentially damaging to the United States.

"If I had won," Mr. Von Klaussen said darkly, "I would have turned the letters over to someone in authority."

The auction itself, sponsored by Charles Hamilton Galleries at the Waldorf-Astoria Hotel, was what some people would call a "media event." Bright lights from television crews illuminated the bidding on letters from a man who, a little more than a year ago, was totally unknown.

Watergate, in fact, furnished a link last night between the McCord letters and two documents from President Thomas Jefferson, said to constitute the first known use of "Executive Privilege."

These letters, cited Wednesday by Senator Sam Ervin, chairman of the Watergate committee, were sold for \$4,750 to Newton Chanin, a collector who bought them for his 15-year-old son, Alec.

trial that that may aid in his motion for a new trial."

Mr. McCord, subsequent to sending the letter to Judge Sirica, dismissed Mr. Alch as his attorney and acquired a new one.

Mr. Alch appeared relaxed as he emerged from the surprisingly long period of questioning by the House subcommittee.

Asked if his law practice had suffered from the dispute with Mr. McCord, he grinned and said, "It hasn't done me much harm so far, but I find myself considering keeping detailed memos of conversations with all my clients."

Representative Lucien Nedzi of Michigan, chairman of the House subcommittee, said later that while he was not prepared to say "that anyone is lying, I might say that the record is hopelessly irreconcilable at this point."

"It's still a mystery to me,"

WASHINGTON POST
19 JUL 1973

'Plumbers' Director Declines to Talk

By Susanna McBeck

Washington Post Staff Writer

David R. Young, former co-director of the White House "plumbers" squad, refused to answer more than 40 questions put to him yesterday by a House subcommittee probing the Watergate scandal.

Young invoked his Fifth Amendment rights as he did last month before a Los Angeles County grand jury, on the advice of his attorney, Anthony A. Lapham.

The "plumbers" unit, also directed by Egil M. Krogh Jr., another White House aide, was created in 1971 to investigate security leaks to news media, particularly Daniel Ellsberg's leak of the Pentagon Papers. Krogh, too, has cited the Fifth Amendment privilege against self-incrimination.

Rep. Lucien N. Nedzi (D-Mich.), chairman of the House Armed Services subcommittee looking into Cen-

tral Intelligence Agency involvement in the Watergate affair, noted that "the law does provide a witness with that privilege," which is not considered an admission of guilt.

In the closed session Young refused to say whether he and Krogh had sent former White House domestic adviser John D. Ehrlichman, their immediate boss, a memo in advance about the plumbers' Sept. 3, 1971, burglary of the office of Ellsberg's psychiatrist, Dr. Lewis Fielding.

Ehrlichman told the FBI that he learned in advance only that two "plumbers," E. Howard Hunt Jr. and G. Gordon Liddy, were going to the West Coast to investigate Ellsberg, but did not know about the Fielding burglary until afterward.

Later, testifying before Nedzi's subcommittee, Ehrlichman said he would have to check his records to see if

the memo mentioned plans for a burglary. He also said he would send the subcommittee a copy of the memo, but a Nedzi aide said yesterday none had been received.

Young, who worked on the National Security Council staff, was asked about CIA testimony alleging that he called former agency director Richard M. Helms in 1971 to request CIA aid in putting together a psychological profile of Ellsberg. He declined to answer.

He also refused to answer questions about meetings between CIA officials and Hunt and Liddy to discuss the profile. Nedzi said at least one meeting occurred after Aug. 27, 1971, the date the CIA was supposed to have stopped its assistance to the "plumbers."

Other questions left unanswered:

- Who issued orders to the "plumbers"?
- Did Young call the Pen-

tagon and State Department, as those agencies have said, to request permission for Hunt to see classified documents on the Pentagon Papers? The Pentagon rejected the request, but the State Department let Hunt see 240 classified cables.

• What contacts did Young have with the CIA, which in July, 1971, furnished Hunt with disguises, phony identification, a tape recorder and a camera? The equipment was used in the Fielding and Watergate break-ins and other "plumber" escapades.

Today the subcommittee is to question former White House counsel John W. Dean III, and Friday it is to interview Liddy, the only one of the seven convicted Watergate conspirators who has refused to discuss the matter with any investigative unit.

The Washington Merry-Go-Round

THE WASHINGTON POST Thursday, July 19, 1973

Hunt Sought Money From White House

By Jack Anderson

Not long after the November election, Watergate ring-leader E. Howard Hunt telephoned Charles Colson in the White House and put the squeeze on him for money.

"The cheapest commodity available is money," said Hunt, reminding the presidential trouble-shooter that "we're protecting the guys who are really responsible."

Hunt complained about the paralysis inside the White House over Watergate. "I would hope," he said, "that... the people who were paralyzed initially by this within the White House could now start to give some creative thinking to the affair and some affirmative action, for Christ's sake."

"That's true," agreed Colson.

"I think now is the time for it," pressed Hunt. "We expect it now, and we want it. The election is out of the way, the initial terror of a number of people has subsided... A few good people ought to really be able to concentrate on this and get the g—d— thing out of the way for once and for all... I don't want to bore you with what it's been like, but it hasn't been pleasant for any of us."

"J— C—, I know it," Colson sympathized. "I hope you're doing some writing to keep yourself busy."

"Oh, I am," said the spy-nov-

elist. "I don't know if anything will ever come of it, but it's a good—it keeps my mind from my plight, let's put it that way."

Then Hunt got down to the purpose of his call. "One of the initial outputs that I have read about," he said, "is that while this is done by a bunch of wild-assed guys... well, that's fine for we're protecting the guys who are really responsible... and, of course, that's a continuing requirement. But at the same time, this is a two-way street. As I say and as I said before, we think now is the time when the move should be made and surely the cheapest commodity available is money."

"These lawyers have not been paid; there are large sums of money outstanding. That's the principal thing. Living allowances which are due again on the 31st of the month, we want that stuff well in hand for some months in advance. I think these are all reasonable requests. They're all promised in advance and reaffirmed from time to time to my attorney and so forth. So in turn, I've been giving commitments to the people who look to me."

"I'm reading you," replied Colson. "You don't have to be more specific."

"I don't want to belabor it." "It isn't a question of that," said Colson. "It's just that the less specifics I know, the better off I am—we are, you are."

Hunt went on to say that Kenneth Parkinson, an attorney for the President's campaign committee, "is out of town until next Monday, at which time a memorandum is going to be laid on him, and he is going to be made aware."

Then Hunt asked Colson: "Would you be willing to receive a memorandum from me?... I think it might help you."

"Except," objected Colson, "there are things you might not want to tell me."

"There's really nothing I don't want to tell you," said Hunt. "I would think you could receive this memorandum, read it and destroy it."

"Nope," Colson rejected the suggestion.

"You couldn't do that?" asked Hunt.

"Nope," Colson said again. "The reason I can't is the same reason your letter to me, when I got that and when I was asked by federal authorities had I had any communication and I said yes, I've received this letter and here it is... You can't get in the position where you're perjuring."

"Of course not," Hunt agreed. "And I'm afraid John Mitchell already has done."

"The problem is, you see, I don't want to get in the position of knowing something that I don't now know," Colson emphasized, "for the reason that I want to be perfectly free to help you, and the only way I can help you is

to remain as completely unknowing as I am."

The two men then got into a discussion of the effect of Watergate on the presidential election.

"It kept them from the real issues," suggested Hunt, referring to the futile attempt by the Democrats to raise the Watergate scandal as an issue in the campaign.

"Well," responded Colson, "I've always thought when I write my memoirs of this campaign that I'm going to say that the Watergate was brilliantly conceived as an escape that would divert the Democrats' attention from the real issues and, therefore, permitted us to win a landslide that we probably wouldn't have had otherwise..."

"Whether you believe it or not," said Hunt.

"No, listen," protested Colson, "I think there's a good bit of validity to that."

"I do, too," agreed Hunt.

"Dumb bastards were on an issue the public couldn't care less about," Colson said.

Footnote: The prosecutors have traced huge sums of money, which were delivered to Hunt and his late wife in \$100 bills. The prosecutors have evidence that Hunt, instead of passing it out to his fellow Watergate defendants, kept most of it himself. It's estimated that he still has more than \$100,000 of the Watergate cash stashed away.

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THE EVENING STAR and DAILY NEWS
Washington, D. C., Tuesday, July 17, 1973

Cox Hits McCord Plea

By Barry Kalb

Star-News Staff Writer

The office of Watergate special prosecutor Archibald Cox has rejected the notion that "patently non-governmental political purposes" may be used to "wrap a common burglary in the mantle of a 'national security' defense."

The prosecutors also say that facts developed during the so far incomplete Watergate grand jury investigation support "the general thesis" that the Watergate conspiracy "involved persons of greater prominence in the government or political life" than the original seven Watergate defendants.

These comments, among the most revealing discussion of the merits of the case by the new and generally tight-lipped Cox staff, were contained in papers filed yesterday at U.S. District Court here.

THE PAPERS were filed in opposition to a motion by convicted conspirator James W. McCord Jr. asking that his conviction be vacated and for dismissal of the charges against him or for a new trial.

The prosecution's comment about a national security defense was in response to McCord's contention that he was led to believe that the Watergate bugging operation entailed national security objectives.

Noting the "wealth of testimony" indicating that the bugging plot was carried out to further the re-election

chances of President Nixon, Cox's papers said:

"No argument is needed to show that the patently non-governmental political purposes of the Committee to Re-elect the President (sic) will not wrap a common burglary in the mantle of a 'national security' defense."

HOWEVER, COX'S comments appear to be applicable as well to the 1971 burglary of Daniel Ellsberg's psychiatrist's office, an operation conducted by the White House investigations unit known as "the plumbers" and involving a number of the original seven Watergate defendants.

President Nixon has publicly announced that he approved formation of the "plumbers" unit, and ordered an investigation of Ellsberg on "national security" grounds. Ellsberg at that time had leaked the Pentagon papers to the press, an act which the President has said he considered a dangerous breach of security.

The President said in his May 22 Watergate statement that he never ordered the "plumbers" to engage in illegal acts, and did not know of the burglary until much later, but acknowledged that he attempted to keep the Watergate investigation from uncovering any activities that were prompted by national security considerations.

The comments in yesterday's court papers seem to provide concrete evidence

that Cox will not accept a "national security" justification for the break-in, and might not accept such a justification for covering up the break-in.

THIS ASSUMPTION was given some indirect support yesterday by William Merrill, the man newly named by Cox to head a task force looking into the activities of the "plumbers."

In an interview, Merrill said that even though a California state grand jury is now investigating the burglary to see if state law was violated, it is possible that a federal grand jury — run by Cox — could be convened to determine whether indictments under federal statute would also be justified.

Merrill listed several possible charges that could be brought against those involved in the burglary, including violations of federal civil rights laws and failure to report a felony, and indicated that there is a real possibility that a federal grand jury investigation might be convened. He emphasized, however, that this is only preliminary thinking, and that there are no final plans along these lines as yet.

Merrill's task force has also been assigned by Cox to look into other activities by the "plumbers," and also to study any improper use of government agencies by the White House.

Without revealing details, Merrill did acknowledge that his investigators are considering allegations of

wrong-doing by the "plumbers" other than those already made public. While no conclusions have been reached, he said, "there is enough" to warrant a close look.

THE PROSECUTION'S comment about the scope of the Watergate conspiracy came in response to the contention in McCord's motion that his prosecution was in error since others in higher positions were also involved.

Referring to McCord's "general thesis" that higher-ups were involved, the prosecution papers said, "The investigation by the grand jury and special prosecutor is incomplete, but certain facts have been developed which would indicate that his (McCord's) general thesis is sound."

The prosecution argued, however, that true or false, McCord's allegations are "inadequate as a matter of law to constitute a defense to the offenses charged, and therefore, cannot form the basis for the granting of a new trial."

In response to another pending McCord motion, the prosecution said it has instituted a search of government agencies to see if McCord or any property under his control was ever subjected to electronic surveillance, and if so, whether the fruits of this surveillance were used by the prosecution in any way at the first trial.

WASHINGTON STAR

26 July 1973

1947 Doubts on CIA Disclosed

New York Times News Service

George C. Marshall, while secretary of state, told President Harry S. Truman in 1947 that he had severe doubts about plans to create the Central Intelligence Agency because "the powers of the proposed agency seem almost unlimited and need clarification."

Marshall's memorandum to Truman on Feb. 7, 1947, five months before the agency went into operation under the provisions of the National Security Act of 1947, is included in a volume of documents made public by the State Department yesterday as part of its reg-

ular historical series on foreign relations.

The Marshall document seems to have contemporary relevance because of the announcement last week by Sen. John C. Stennis, chairman of the Armed Services Committee, that he had ordered a full review of the CIA's charter to prevent the agency's involvement in Laotian-style secret wars, or in activity like Watergate.

SENATE CRITICS of the CIA have attacked the language of the original National Security Act as too vague and ambiguous.

They have specifically cited the agency's authori-

zation "to perform for the benefit of existing intelligence agencies such additional services of common concern as the National Security Council determines can be more effectively accomplished centrally" and another provision calling on the agency "to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

Marshall, in his memorandum, did not specify what language he was wary of approving. Rather, he seemed concerned about setting up a peacetime intelligence agency with wide-

ranging responsibilities that might diminish the influence of the State Department.

THE CREATION of the CIA was regarded by Truman, in his memoirs, as a major achievement of his administration since it brought together what had been a disparate number of military and civilian agencies.

"Here, at last, a coordinated method had been worked out, and a practical way has been found for keeping the President informed as to what was known and what was going on," Truman said.

NEW YORK TIMES
20 July 1973LIDDY SAID TO LINK
NIXON TO '71 PLOT

By JAMES M. NAUGHTON

Special to The New York Times

WASHINGTON, July 19 —

Robert C. Mardian, a former Assistant Attorney General, testified today that a Watergate conspirator, G. Gordon Liddy, gave him the clear "impression" a year ago that President Nixon had authorized a 1971 burglary of the office of Dr. Daniel Ellsberg's former psychiatrist.

"I wish to be very careful here, because I don't know that he used the name of the President," Mr. Mardian said as he recited, for the Senate Watergate committee, his interrogation of Liddy three days after the Watergate break-in.

But he said that Liddy had used words "clearly meant to imply that he was acting on the express authority of the President of the United States, with the assistance of the Central Intelligence Agency" in carrying out the burglary.

President Nixon and officials of the C.I.A. have strenuously denied that they had prior knowledge of or involvement in the burglary carried out by Liddy and other agents of a secret White House "plumbers" unit. Liddy has refused to tell investigators anything about his covert activities.

Mr. Mardian's evident caution in reciting Liddy's belief that the "plumbers" unit—the group investigating leaks of security information—had been operating with the specific blessings of the President was underscored by Mr. Mardian's previous statements to newsmen that he was not a fan of Liddy and had once turned down his bid for a job in the Justice Department.

Furthermore, Mr. Mardian's account today of what he had learned about the Watergate scandal clashed directly and frequently with the testimony of five previous witnesses at the Senate hearings.

James Hamilton, an assistant counsel to the investigating committee, questioned Mr. Mardian so extensively about the conflicts his testimony presented that the former Justice Department official complained, at one point, that the question resembled "an indictment."

In one of the central conflicts, Mr. Mardian disputed the testimony given last week by former Attorney General John N. Mitchell, who swore to the committee that he never approved Liddy's \$250,000 intelligence-gathering scheme that led to the break-in at the Watergate offices of the Democratic National Committee.

Mr. Mardian said today under oath that he had related to Mr. Mitchell Liddy's statement that

NEW YORK TIMES
19 July 1973Young Reportedly Refused to Accuse
Ehrlichman in Raid on Doctor's Office

By MARJORIE HUNTER

Special to The New York Times

WASHINGTON, July 18 —

David R. Young Jr., a former White House aide, reportedly refused today to tell a House subcommittee whether his superior, John D. Ehrlichman, had approved a plan to burglarize the office of Dr. Daniel Ellsberg's former psychiatrist.

Subcommittee officials said that Mr. Young had refused to answer this and more than 40 other questions, invoking the Constitution's Fifth Amendment guarantee against being required to give testimony that might incriminate him.

Yesterday, another former White House aide, Egil Krogh Jr., also invoked the Fifth Amendment, refusing to answer some 50 questions, according to Representative Lucien N. Nedzi of Michigan, chairman of the House Armed Services Subcommittee on Intelligence Operations.

Mr. Krogh and Mr. Young had supervised the White House group called "the plumbers," set up in 1971 to investigate security leaks, including the release by Dr. Ellsberg of the Pentagon papers detailing United States involvement in Southeast Asia.

Government sources have said that Mr. Young has given Federal Watergate prosecutors a memorandum that he and Mr. Krogh reportedly sent to Mr. Ehrlichman in the late summer of 1971, outlining plans to burglarize the office of Dr. Lewis Fielding, Dr. Ellsberg's former psychiatrist in Beverly Hills, Calif.

the electronic eavesdropping scheme had the former Attorney General's approval, and that Mr. Mitchell "didn't deny it."

Although he was a close friend of Mr. Mitchell's, was one of his protégés at the Department of Justice and was an aide last year to Mr. Mitchell at the Committee for the Re-election of the President, Mr. Mardian showed no emotion today as he suggested, in effect, that the former Attorney General had not told the truth.

Mr. Mardian, a trim, baldish man, peered through his gold-rimmed eyeglasses as he calmly denied the accounts of five earlier witnesses that he had been a central character in the Watergate cover-up.

He insisted that his knowledge of the break-in and cover-up had come to him as attorney for the re-election committee, that he was therefore obliged by an attorney-client ethic of confidentiality to withhold his information and that it had troubled him so much that he had felt as if he were "caught in quicksand."

He had the following denials under Mr. Hamilton's interrogation:

QHe said that John W. Dean 3d, the former White House legal counsel, was "dead wrong" in testifying that Mr.

Although Mr. Young refused to answer subcommittee questions today, there have been reports that he is prepared to testify in court, that Mr. Ehrlichman saw the memo and approved the burglary.

Mr. Ehrlichman, former domestic affairs counselor to President Nixon, reportedly told the Nedzi subcommittee on June 13 that he had approved "some sort of proposal" involving a White House investigation of Dr. Ellsberg.

Mr. Nedzi said that Mr. Ehrlichman testified that the memo "may have" included a proposal for going to the West Coast to investigate Dr. Ellsberg, but that he "did not recollect" anything in the memo referring to a break-in.

"He told us that he did approve a proposal, but the substance was not made clear," Mr. Nedzi said after Mr. Ehrlichman's testimony last month. Mr. Ehrlichman, in a statement made to the Federal Bureau of Investigation on April 27, denied prior knowledge of the Fielding office burglary in the fall of 1971.

Among other questions that Mr. Young was asked today by the subcommittee, but reportedly refused to answer, was who asked him to request the Central Intelligence Agency to prepare a psychological profile of Dr. Ellsberg.

Richard M. Helms, former C.I.A. director and now Ambassador to Iran, told a Congressional panel in May that he had reluctantly approved Mr. Young's request for the agency to prepare the profile in July, 1971.

Mr. Helms testified, in open session before the Senate Foreign Relations Committee, that he presumed that Mr. Young was speaking for the President in asking for C.I.A. assistance, but that he had never heard the President's name used directly.

to "It was the last thing I wanted to do," said the former chief of the Internal Security Division of the Justice Department.

QHe refused to concede that he had ever taken part in discussions specifically related to the plans of Jeb Stuart Magruder, the deputy campaign director, to advance the cover-up by giving prejured testimony last fall to a Watergate grand jury.

Mr. Mardian's participation in such discussions was alleged in the testimony of Mr. Mitchell,

Mr. Magruder and the witness who preceded Mr. Mardian today, Frederick C. LaRue. But Mr. Mardian steadfastly insisted that, to the contrary, he had always advised grand jury witnesses "they would have to tell the truth."

QHe denied that he was aware of any discussion of efforts that led to the enlistment of Herbert W. Kalmbach, the President's former personal lawyer, in raising the \$450,000 that was used to make payments to the Watergate conspirators.

Mr. Mardian told Mr. Hamilton that the only answer he

session before the Senate Foreign Relations Committee, that he presumed that Mr. Young was speaking for the President in asking for C.I.A. assistance, but that he had never heard the President's name used directly.

"I reluctantly said, All right, let's go ahead and try it," Mr. Helms said, adding that he had been told by Mr. Young that the request had the backing of Mr. Ehrlichman and Henry A. Kissinger, the President's special assistant for national security affairs.

Mr. Helms said that the C.I.A. had prepared two profiles on Dr. Ellsberg. The first was considered inadequate by the White House. The final one, Mr. Helms said, was delivered to the White House on Nov. 12, 1971.

While refusing to answer questions today about the Watergate affair, Mr. Young readily responded to questions about his personal background. He joined the White House in 1970 as an assistant on the staff of Mr. Kissinger and was transferred to Mr. Ehrlichman's Domestic Affairs Council in 1971. He resigned from the White House on April 30 of this year.

[could give to support his credibility as a witness was to say that he was testifying "to the best of my recollection and ability."

He swore that Mr. Magruder had been mistaken in saying that Mr. Mardian had once suggested altering Mr. Magruder's appointment calendar to hide the truth about a meeting Feb. 4, 1972, that was related to the intelligence gathering scheme. He insisted that Maurice H. Stans, the chairman of the campaign finance committee, was in error about Mr. Mardian's involvement in efforts to secrete \$81,000 of campaign cash that had not been reported.

He also disputed Mr. Dean's testimony that it was Mr. Mardian who had suggested that the break-in defendants might be provided with "silence money" from the C.I.A., and he quarreled with the statement LaRue made yesterday that it was Mr. Mardian who had arranged a June 20, 1972, interview of Liddy in LaRue's Washington apartment.

It was at the June 20 interview, Mr. Mardian recalled today, that he learned from Liddy the "shocking" details of the Watergate break-ins — the bungled one three days earlier turned out to be the second — and of the "plumbers" unit activities that Mr. Mitchell later described as "White House horrors."

Mr. Mardian said that, unlike LaRue, a former campaign official who could not recall the interview with precision yesterday, he had a "pretty vivid" recollection of Liddy's account.

The recollection was bolstered by a set of notes that had kept on the witness table by Mr. Mardian's attorney, David Bress, and used for occasional whispered reminders.

WASHINGTON STAR
25 July 1973

ORDERS ON CIA

Nixon Disputed By Ehrlichman

By Martha Angle
Star-News Staff Writer

John D. Ehrlichman, formerly one of President Nixon's two closest advisers, has directly contradicted one of the key assertions in Nixon's May 22 statement on the Watergate operation and its cover-up.

In that statement, the President said that "within a few days" of the June 17, 1972, break-in at Democratic headquarters, he became "deeply concerned" that the Watergate investigation might lead to disclosure of covert Central Intelligence Agency activities or the operations of the secret White House "plumbers" unit.

"Therefore, I instructed Mr. (H. R.) Haldeman and Mr. Ehrlichman to ensure that the investigation of the break-in not expose either an unrelated covert operation of the CIA or the activities of the White House investigations unit . . ." Nixon said.

BUT EHRLICHMAN yesterday told the Senate Watergate Committee he received no such instructions from the President.

Ehrlichman said Haldeman did tell him Nixon "wanted me to sit in on" a June 23 meeting with CIA Director Richard Helms and Deputy Director Vernon A. Walters at which there was a discussion about possible CIA involvement in Watergate.

But it was not until a July 6 meeting with the President, Ehrlichman said, that he learned "that his concerns were as they are set forth in that statement — that disassociated, unrelated to the Watergate in any way, there might be CIA operations which would be uncovered . . . and the CIA would be compromised."

Ehrlichman said the only time the President instructed him to make sure the activities of the "plumbers" unit — set up to investigate news leaks — were kept secret was "five or six months" before Watergate, around January 1972.

MINORITY COUNSEL Fred D. Thompson repeatedly tried to elicit a response from Ehrlichman that would conform to the President's May 22 statement, but Ehrlichman refused to cooperate.

"But you felt in your mind . . . A few moments later, after the Watergate break-in, Ehrlichman said that and after, say, July 6th, 7th, 'frankly, the question of the special unit (the plumbers) anyway, that you did have instructions — however simply never entered my mind at that time as a potential problem. It just was not in contemplation and it was not in the contemplation of anybody that I was talking to, so far as I recall.'"

"No, no — I think you have misunderstood me, Mr. Thompson," Ehrlichman replied.

Thompson asked if it hadn't occurred to Ehrlichman that the activities of two of the "plumbers," G. Gordon Liddy and E. Howard

and Hunt — later convicted as Watergate conspirators — might have proved embarrassing, since they had been involved in the September 1971 burglary of the office of Daniel Ellsberg's psychiatrist.

"I ASSURE YOU, Mr. Thompson, it just was not in my consciousness," Ehrlichman said.

"It evidently crossed the President's mind," Thompson observed.

This morning, Ervin and John J. Wilson, Ehrlichman's lawyer, engaged in a lengthy legal argument over the extent of the President's "inherent powers" weighed against the 4th Amendment strictures against illegal search and seizure.

Ervin, 76, and Wilson, celebrating his 72nd birthday today, disagreed politely on the legal question and the facts in the case at hand.

Wilson contended the Supreme Court has left open the extent of the President's power to deal with foreign intelligence threats.

"I can't see the slightest relationship between Dr. Lewis Fielding's notion of the mental state of Daniel Ellsberg and foreign intelligence activities," Ervin said.

Ehrlichman, in other testimony yesterday, contended that the break-in at the office of Ellsberg's psychiatrist was "within the President's inherent constitutional powers" to protect national security.

Furthermore, Ehrlichman said, when he first discussed the matter with Nixon in March of this year, "he expressed essentially the view that I have just stated . . . that he considered it to be well within the constitutional . . . obligation and function of the presidency."

SEN. SAM J. ERVIN Jr., D-N.C., chairman of the special Watergate committee and a leading constitutional authority, vehemently disagreed with this assertion and a related Ehrlichman contention that a 1968 wiretapping law offered

tacit sanction to such operations.

Ehrlichman said the law recognized the President's right to "protect national security information against foreign intelligence activities."

Ervin said the "opinion of Ellsberg's psychiatrist about his intellectual or emotional or psychological state" had nothing to do with foreign intelligence activities.

"HOW DO YOU KNOW that, Mr. Chairman?" Ehrlichman asked.

"Because I can understand the English language. It is my mother tongue," the chairman shot back — to a prolonged burst of cheers and applause from the Caucus Room audience.

Ervin and Sen. Howard H. Baker Jr., R-Tenn., committee vice chairman, also cautioned the audience against further displays of approval or disapproval. Both suggested such outbursts could cast doubt — in the public eye — on the impartiality of the committee's proceedings.

Ehrlichman acknowledged approving an Aug. 11, 1971, recommendation by Egil Krogh Jr. and David Young, White House aides in charge of the "plumbers," that a "covert operation be undertaken to examine all the medical files still held by Ellsberg's psychoanalyst."

But he insisted the phrase "covert operation" had not conveyed to him any hint that a break-in was contemplated.

HE DID SAY the break-in at the psychiatrist's office had "express authorization" which he assumed came from Krogh. Former presidential counsel John W. Dean III previously testified that Krogh told him authority for the operation came directly from "the Oval Office" — President Nixon.

Ehrlichman's contention that he discussed the Ellsberg break-in with Nixon in March of this year ap-

peared to contradict another portion of the President's May 22 statement in which he said he did not learn of that incident until late April.

Ehrlichman also said Dean indicated to him that the Justice Department and former Watergate prosecutor Earl Silbert had known about the break-in for about a year — which would contradict Silbert's statement introduced at Ellsberg's trial which said prosecutors first learned of it on April 15, 1973.

SEVERAL TIMES yesterday, Ehrlichman shied away from answering certain questions on grounds of "national security," especially in regard to wiretaps authorized by the President or attorney general.

He said Haldeman "told me obliquely" about the 1969 wiretaps on selected newsmen and members of Henry Kissinger's National Security Council staff.

"Did you have any role in authorizing other wiretaps?" asked chief counsel Samuel Dash.

"From time to time, I did," Ehrlichman said. He said the taps generally had "national security objectives" but added, "I am under a stricture which really doesn't permit me to be very responsive to your question."

The Aug. 11, 1971, memo to Ehrlichman from Krogh and Young contained one reference which seemed to involve a wiretap, however. The memo listed a number of individuals who might be called to testify before a Boston grand jury then preparing to investigate leads of the Pentagon Papers.

THE LIST included Marcus Raskin and Richard Barnet, leaders of the Institute for Policy Studies in Washington, and K. Dunn Gifford, a friend of Ellsberg's and former aide to Sen. Edward M. Kennedy, D-Mass.

"It seems unlikely," the memo said, "that Barnet, Raskin and Gifford will be called because they have been overheard."

In grand jury probes, defendants frequently demand that the government produce logs of any wiretaps aimed at them and the courts usually grant the demand. In this case, while the language is not specific, it appeared that Barnet, Raskin and Gifford may have been "overheard" on a wiretap.

THROUGHOUT his testimony yesterday, Ehrlich-

man sparred with his interrogators, frequently trying to anticipate questions before they were asked.

One or two of his sallies — especially those aimed at discrediting Dean — drew hisses and boos from the partisan audience, which applauded when Ervin scored debating points against the witness.

Ehrlichman, in his testimony on Watergate, contradicted accounts previously given the committee by Herbert W. Kalmbach, Nixon's former personal lawyer, in regard to fund raising for the Watergate defendants.

KALMBACH had told the panel he agreed to Dean's request that he raise money for payment of legal fees and family support for the seven Watergate conspirators, but later became worried about the propriety of that effort.

He said he went to Ehrlichman on July 26, 1972, seeking reassurance. Kalmbach said he looked into Ehrlichman's eyes and said: "You know that my

family and my reputation mean everything to me and it is just absolutely necessary, John, that you tell me, first, that John Dean has the authority to direct me in this assignment, that it is a proper assignment and that I am to go forward with it."

Ehrlichman, however, denied making any such assurances. "I am sure I would remember that solemn occasion and I am sorry to say that I don't remember," he said.

DESCRIBING Kalmbach as a good friend, Ehrlichman said he "would have been very, very slow to make any assurance to Herb without a lot of research to satisfy myself... I am just morally certain that there was no such request from him that I vouch for the activity..."

Ehrlichman also said he viewed the collection of funds for the Watergate defendants in much the same light as various defense funds established for Ellsberg, Angela Davis and the Berrigan brothers.

Ervin promptly noted

these defense funds were well publicized, not kept secret like the Watergate payments. Furthermore, he said, people contributed to those funds "because they believed in the causes they stood for."

Ervin asked whether the Nixon re-election committee and White House aides "like yourself" had believed "in the cause of burglars or wiretappers."

"No," Ehrlichman replied. "I didn't contribute a nickel," he added.

PURSUING the conflict with Kalmbach's testimony, Ervin next produced a transcript of a telephone conversation Ehrlichman had with Kalmbach earlier this year.

"Didn't you bug his telephone conversation with you?" he asked Ehrlichman.

"No sir," Ehrlichman replied.

"Didn't you record it, then?" asked Ervin.

"Yes sir," said Ehrlichman.

WASHINGTON STAR
19 July 1973

Columnist Discloses Hoover Warned Nixon

CAPE MAY, N.J. (UPI) — Less than a year before his death, J. Edgar Hoover persuaded President Nixon to keep him on as FBI director to "protect him (Nixon) from the people around him," Columnist Andrew Tully said yesterday.

Hoover, who was speaking in an off-the-record interview not to be published until after his death, strongly criticized Nixon's closest advisers, whom he called "the President's kindergarten," according to Tully. "Some day that bunch will serve him up a fine mess," Hoover is quoted as saying.

"They keep coming up with half-baked schemes," Tully quoted Hoover. Among those the FBI director named were Atty. Gen. John N. Mitchell, White House advisers John Ehrlichman and H. R. Haldeman and White House Counsel John W. Dean — all central figures in the investigation of the Watergate scandal and coverup.

THE INTERVIEW took place in January, 1972, about five months before

Hoover died, Tully said. He asked Hoover about rumors that Nixon was pressuring him to retire.

Tully said Hoover "grinned his crooked grin" and replied:

"Not any more there's not. I put the kibosh on those Jaspers who want to get rid of me. I saw the President a couple of months ago and we agreed that I would stay on the job."

Interrupting another question, Tully said, Hoover continued:

"I told him he needed me around to protect him from those people around him."

"Some of those guys don't know a goddamned thing about due process of law. They think they can get away with murder. I told the President I hoped I'd live long enough to keep those people from getting him into bad trouble."

APPARENTLY referring to a 1970 White House plan to launch a wide-ranging intelligence campaign against radicals and dissi-

dents, Hoover said the "kindergarten" schemes forced him "to put the kibosh on one crazy intelligence campaign against subversives."

Hoover said he was disturbed by a "bad situation in the intelligence field." The FBI director said he steered clear of involvement with the Central Intelligence Agency "because they're letting themselves be used by the White House crowd." He said then CIA Director Richard Helms was an "Eastern establishment kid."

MITCHELL, Hoover said, was "all right, but he's never even been in a courtroom. He's just not equipped to be Attorney General."

Of Haldeman, Ehrlichman and Ronald Ziegler — who has kept his job as White House press secretary and was recently named a counselor to the President: "They're all right, too, but they don't know anything except how to sell advertising. That counsel Dean — he doesn't know law. I ignore the son of a bitch."

WASHINGTON STAR

22 JUL 1973

Ex-Deputy To Hoover May Testify

By JEREMIAH O'LEARY

Star-News Staff Writer

Former assistant to the director of the FBI William C. Sullivan is prepared to testify before the Senate Watergate committee about incidents going back to 1940 in which FBI secret materials were "abused" by the late J. Edgar Hoover.

The possibility that Sullivan might be subpoenaed by the Ervin Committee arose Friday during the interrogation of Robert C. Mardian.

Mardian, a former assistant attorney general and attorney for the Committee to Re-Elect the President, said that Sullivan told him in 1971 he had some wiretap logs which he feared Hoover might use to preserve his position as FBI director.

Senator Lowell Weicker, R-Conn., said Sullivan might be called to expand on the wiretap information he gave Mardian and his reasons for fearing it might be misused. Sullivan, it is known, has already had a number of informal meetings with committee officials about the wiretaps and about his contact with former White House counsel John W. Dean III.

INTERVIEWED by telephone at his home in New Hampshire yesterday, Sullivan told The Star-News he had anticipated the committee might subpoena him but said he had not been contacted yet.

If subpoenaed, Sullivan said he would be ready to give the committee examples of abuse of FBI materials by Hoover going back to 1940.

Sullivan's name came up earlier in the Watergate probe when Dean testified he had obtained a memo from Sullivan on orders of President Nixon listing use of the FBI for political purposes in previous administrations. This memo was given to Dean last February, Sullivan said, and in-

cluded information that the late President Lyndon B. Johnson had ordered a secret FBI investigation in 1968 of Vice President-elect Spiro Agnew.

Other Dean testimony indicated Nixon was convinced the FBI had been tapping him before his first inaugural and had ordered Dean to find out about it from former FBI officials.

PRESUMABLY, if the committee decides to subpoena Sullivan, the questions would center on the 1969-71 wire taps of about 17 National Security Council employees and newsmen as well as the political memo he sent Dean.

Sullivan said the original requests for the 1969-71 taps came to him from the National Security Council, headed by Dr. Henry Kissinger.

"They didn't come all at once but in ones and twos," Sullivan said. "I would take them to Mr. Hoover and he would send them to the attorney general (John N. Mitchell). As soon as the authorizations were signed and returned, Mr. Hoover would send them to me and I had the Washington Field Office of the FBI put them on (had the wiretaps applied.) They were perfectly legal at the time they were employed."

THESE TAPS, according to Sullivan and Mardian's testimony, came at a time when the White House was concerned about leaks to news media on the SALT talks. One of the taps on NSC advisor Morton Halperin unintentionally intercepted a phone conversation by Pentagon Papers figure Daniel Ellsberg and disclosure of this tap resulted in dismissal of the government's prosecution of him.

Sullivan told the Star-News, "The product (results of the taps) was sent to the White House. The authorizations and logs of the tapped conversations

DAILY IOWAN, Iowa City
6 July 1973

Value of Continuing CIA Questioned by Sen. Clark

ELDRIDGE (AP) — The need for continued operation of the Central Intelligence Agency has been questioned by Sen. Dick Clark (D-Iowa).

In a copyrighted story Friday, the Daily Iowan of Iowa City also quoted Clark as saying the list of 200 "enemies" compiled by the Nixon administration is "an indication of the nature of the administration — not only the President but the people working around him."

The freshman senator said the CIA "doesn't provide an adequate service. The advantages of having a CIA are not great enough to justify it."

"Ruthless World"

"It is true that we live in a very ruthless world, and when you deal in a nationalistic world as we do, you need to know certain intelligence about other countries."

But he said "the record of the CIA has been so mixed and so spotty that it tends to get us involved with internal affairs of other countries to our own disadvantage."

"All things considered, it's very doubtful whether the CIA is an asset to us."

Clark said it is "particularly frightening" that the CIA is involved in the hugging of foreign embassies. He said he's "more dismayed" in the CIA's alleged

closer involvement in domestic affairs "which clearly it has no right to be involved in."

Clark said there was CIA involvement in the 1972 Chilean elections and the burglary of Daniel Ellsberg's psychiatrist's office. Ellsberg was charged by the government with revealing the confidential Pentagon Papers to the public.

"I really question whether or not you can effectively have any kind of central intelligence unit that doesn't get out of hand," Clark said.

He said such units "become such a cloak and dagger group nobody in the congress, no one who answers to the people, really has much jurisdiction over them."

He said he was disturbed that the administration "has gone so far as to use government agencies — such as the attempted use of the Internal

Revenue Service — to bring pressure to bear" on the 200 persons mentioned on the alleged "enemies" list.

The list was revealed in testimony before a senate investigating committee by John Dean III, former counsel to the President.

Clark is on a walking tour of Eastern Iowa during a congressional recess and made his comments here Thursday.

were kept at the FBI.

"Mr. Hoover told me to keep them in my office and I did."

"I became concerned about these materials in July, 1971 when I made my decision to get on a collision course with Mr. Hoover," Sullivan said. The following month he sent Hoover a long letter itemizing all his policy differences with the FBI director. From that time on, he knew his days were numbered, he added.

MARDIAN testified that Sullivan came to him to say that he and Mr. Hoover were not getting along well and that he anticipated his removal. Mardian said Sullivan told him about the NSC surveillance logs, described them as "very sensitive" and said they should not be kept at the FBI if he

was removed.

"I don't know what Mr. Sullivan's recollection is," Mardian told the committee. "My recollection is that Mr. Hoover might use these tapes for the purpose of preserving his position as director of the FBI."

Mardian said he informed Mitchell and subsequently he got a call from either H. R. Haldeman or John D. Ehrlichman at the Western White House telling him the President wanted him to come talk to him. Mardian said he went on the courier plane to San Clemente and there the President directed him to obtain the reports from Sullivan and give them to Ehrlichman.

Sullivan had his final break with Hoover in October, 1971 and returned from leave to find the locks changed on his office door.

THE WASHINGTON POST Saturday, July 21, 1973

Watergate 'Writer' Ill in Jail

By Maxine Cheshire
Washington Post Staff Writer

Convicted Watergate conspirator E. Howard Hunt has apparently suffered a stroke that has left one of his legs partially paralyzed, according to his literary agent, Donald MacCampbell.

MacCampbell said yesterday that he learned of the illness when he visited Hunt recently at the federal prison in Danbury, Conn.

MacCampbell said Hunt told him that he believes the stroke was brought on by a fight he had in June with a cellmate in the District of Columbia jail.

Hunt's lawyer described him at the time as being "very upset" from a "very traumatic experience" and he was transferred immediately to the Arlington

County jail.

According to MacCampbell, Hunt has been "deteriorating rapidly — both physically and psychologically."

"He told me he won't last two years in prison," said MacCampbell. "He looks like an old man. He was wet with perspiration. He was in such bad shape that he couldn't even draft a letter. I had to do it for him."

He added, "I don't know what kind of treatment he is getting from the prison doctors. He told me that they can't treat his ulcers because that medicine conflicts with his high-blood pressure and they can't treat his high-blood pressure because that conflicts with his ulcers."

The stroke, MacCampbell said, has left Hunt with a

loss of feeling in his left leg.

The prison's chief physician, Dr. David Comer, refused to discuss Hunt's medical problems.

"It's a privileged relationship and confidential," he said. "If Mr. Hunt wants to discuss it with anyone, that's up to him, but I regard it as a violation of medical ethics to say what he has or doesn't have."

Dr. Robert Brutsche, medical director for the Bureau of Prisons, confirmed that a medical examination of Hunt at Danbury showed that Hunt has symptoms "consistent with a stroke but not necessarily indicative of one."

After Hunt complained to doctors at Danbury of his symptoms, they diagnosed weakness in the left leg and

"physical symptoms . . . that could be due to a stroke or something else."

There is "no visible incontinence," Brutsche said.

Hunt, who is provisionally committed to Danbury while awaiting permanent sentencing, is hoping that his physical condition may be taken into consideration by Chief Judge John J. Sirica of U.S. District Court, MacCampbell said.

Until his health began to fail, MacCampbell said Hunt had been making notes for a new book. He writes in longhand because he is not allowed to have a typewriter.

"He has set some sort of publishing record," says MacCampbell. "He will soon have 17 books on sale in bookstores at the same time."

The Washington Merry-Go-Round

THE WASHINGTON POST Wednesday, July 25, 1973

Hunt Seen as Romantic Spy, Novelist

By Jack Anderson

We have already written about the bizarre behavior of White House burglar G. Gordon Liddy. His partner in crime, E. Howard Hunt, is equally strange. The two men who tried to steal psychological data about Daniel Ellsberg seem more in need of psychological study themselves.

While Liddy acted out his daydreams by posturing with guns and threatening those who got in his way, Hunt found an outlet for his fantasies in the pages of his 45 obscure novels. He went by many names both as a spy and a novelist.

He was a romantic spy who ran about in a preposterous red wig, committing burglaries, conspiring to wiretap and engaging in intrigue. When he was caught, he allegedly tried to blackmail the White House for \$1 million to keep his mouth shut.

Cash Payments

Several large cash payments were delivered to him. But instead of sharing the money with his fellow defendants, he allegedly kept most of it himself. Prosecutors believe he still has more than \$100,000 stashed away.

Yet five months afterward, surrounded by the wreckage of Watergate, Hunt was still telling friends: "I've spent a

lifetime serving my country and, in a sense, I'm still serving it."

Much of his past is wrapped in the secrecy that surrounds all former CIA men. But this much is known:

He was one of the planners behind the Bay of Pigs, although he withdrew from the operation in protest after Manolo Ray, a leader of the anti-Castro Cuban left wing, was included in the revolutionary council.

While the ragtag troops were training in Guatemala, Hunt sought to use them to defend the Guatemalan president against an uprising. He was overruled by Washington, which thought they should fight one revolution at a time.

Play Failed

Earlier in Uruguay, as his tour of duty was coming to an end, he promised that country's president several U.S. helicopters if el Presidente would intercede to keep him in Montevideo. The play failed and the episode later kept him from a desirable post in Spain.

As a burglar, Hunt attempted to reconnoiter the Watergate and slipped into a dining room. He found he couldn't open a connecting door without alarming a guard. So he spent the night in a closet, waiting to escape in the anonymity of the daytime crowd. Yet astoundingly, this neu-

rotic pair, Liddy and Hunt, were brought into the White House where they were permitted to implement their wild schemes. They were supposed to be the James Bond specialists, who would handle "Mission Impossible" assignments for the White House. They were paid higher salaries than the young White House aides who served as their nominal supervisors. Our White House sources say the young aides held Liddy and Hunt in awe and listened respectfully to their schemes.

If Hunt had written the Watergate story as one of his novels, it would have been dismissed as too wild to be believed.

Headlines and Footnotes: In a memo marked for the "eyes only" of President Nixon, Vice President Agnew urged the dismantling of Lyndon Johnson's Great Society. The memo was solicited by the President after his re-election. Agnew responded with an appeal that their landslide victory was a "mandate" to end Johnson's social programs . . .

Former White House aide Charles Colson, who has been accused in the Watergate testimony of forging documents framing President Kennedy for the murder of South Vietnam's President Diem and fabricating a new version of Chappaquiddick, recently tried to make his peace with Sen. Ted Kennedy (D-Mass.). Col-

son made three requests for an appointment, but Kennedy refused to see him . . .

The man who had so much to say to Senate investigators, John Dean, hasn't communicated with his 5-year-old son since Easter Sunday. Then, according to his divorced wife Karla Dean, it was only a telephone call. Dean also gave his former wife one big surprise. He had never been talkative about his adventures in the high councils of government. Karla told us: "There's no one who loves a secret more than Johnny" . . .

While checking out security in New York City for the November Group, the Nixon advertising agency created just for the 1972 campaign, Waterbugger James McCord made the mistake of confiding his plans to bug the Democrats to old FBI friends. The word spread through the investigative community, reaching us in Washington two months before the celebrated Watergate break-in. The version we heard was that the November Group was behind the bug-ging scheme, so we were busy investigating the November Group when the Waterbuggers struck . . .

Although President Nixon managed to obtain nearly \$2 million in public financing to renovate his California and Florida homes, future Presidents are going to find it difficult to do the same. . .

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THE WASHINGTONIAN

August 1973

The Berlin Ending *The Watergate Conspirator* as Spy Novelist

E. Howard Hunt's 45th novel, *The Berlin Ending*, is set for publication in late August. It has been advertised in *Publisher's Weekly*, the bible of the book trade, so there is a chance that Hunt finally will hit the best-seller list, under his own name. All the previous books were written under a string of pseudonyms.

This also may be Hunt's best book. I have read three of his other rides (*On Hazardous Duty*, *Return from Vorkuta*, and *Towers of Silence*, all under the David St. John name) and *The Berlin Ending* is less predictable and more sophisticated. The good guys don't automatically win. It is in line with life, including Hunt's present residence in jail.

But the final twist is that after all those decades of writing anonymously, Hunt's coming-of-age book will be read not so much for its own sake, but for what it will reveal of the author.

Above and beyond Watergate, there is a fascination about Hunt the ex-CIA officer and Hunt the author. The author wrote 44 books, an achievement of sorts, regardless of carping in the *New York Times* that his work is "subliterary." His books show a strong right-wing bent—the *Washington Post* is socialist, liberals are depraved and dangerous.

The point of most interest is

that being a writer and a CIA operations officer don't mix. An operations officer is engaged in handling agents or spies, and it is well to conceal his real identity against the possibility of the spy's arrest. There must be airtight, plausible denial, and all the rest if it is truly a clandestine operation. At a minimum, he cannot be publicized as a CIA operations officer and popular novelist. Allen Dulles, the late CIA chief, had the best of both worlds. He wrote as much as he liked and was something of a celebrity. In his case, and his alone, the roles of entertainer and spy-master meshed. Hunt reportedly did the ghost writing of Allen's books, such as *The Craft of Intelligence*, which must have doubly rubbed the salt in Hunt's wounded ego.

Now at last, in *The Berlin Ending*, Hunt can write as an acknowledged writer, with the benefit of more than 20 years' exposure to real clandestine techniques. In this novel Hunt introduces the concept of agent of influence, a latter-day version of the Communist spy under every bed.

During the 1940s and 1950s there were plenty of Communist spies in America. And overseas. If there is now a shortage, into the breach steps the agent of influence. He is hard to identify, infinitely dangerous. He is not a recruited and trained agent—no, his se-

cret is that his sympathies really are directed more toward them than us, a Comsymp or radlib or whatever. If every businessman or politician who visits a Communist country or is seen somewhere with a Communist is automatically suspected by CIA's counterespionage specialists as an "agent of influence," this opens up vast new areas of CIA work.

Hunt is the hero of all his novels, and in this one he is architect Neal Thorpe, who once worked for the CIA. By chance he meets Annalise, the stepdaughter of West German Foreign Minister Klaus Weber, a barely shielded version of Chancellor Willy Brandt. Hunt sent a photo of Brandt with Leonid Brezhnev to his editor at Putnam: "Here's the dirty dog with his master." The idea is clear enough. The agent of influence can be anyone who pals around with Communists.

Annalise is trying to get away because Weber is "acting as a Soviet agent." So Thorpe-Hunt does a lot of fast traveling and loving right up to the fateful ending, when Annalise cuts out and the show goes on. The ending of this book was suggested by Hunt's wife, Dorothy, just before her fateful trip to Chicago.

In *The Berlin Ending*, as in real life, Hunt had been away from the clandestine business for a time. When he got back in "he began to live again."

This is the feeling of belonging, of being inside, that welds the CIA together. It is the extra sanction to do what needs to be done that makes otherwise illegal acts legal. Anything goes in Hunt's novel. One is reminded of Raskolnikov, the murderer in *Crime and Punishment*, rationalizing his ax slayings: "... whoever is strong in mind and spirit will have power over them. Anyone who is greatly daring is right in their eyes. He who despises most things will be a law-giver among them and he who dares most of all will be most in the right! So it has been till now and so it will always be."

The forces of good and evil are even for Raskolnikov at that point. For Hunt, they were always even if they had the CIA stamp. Thorpe-Hunt complains, though, that the "agency has grown old and cautious," as indeed it has. Retirement of senior officials is now its main preoccupation. A clearer perception of the world has stayed its hand from striking down the governments of small countries whose future will be of limited impact on US goals or on "national security." The looking glass war casts a dimmer image. But Hunt makes it flash again, and seasoned spy novel fans will enjoy *The Berlin Ending*. Those worried about the implications of Watergate will still worry.

—ROBERT J. MYERS

WASHINGTON STAR

27 JUL 1973

Q. I'm fascinated with Watergate burglar E. Howard Hunt's literary output. Has he ever written anything good, or just potboilers, and is he writing anything now? —

J. G., Akron, Ohio



HUNT

A. Hunt's first book, written in 1942, got great reviews, but his second and third novels weren't received with much enthusiasm and after that Hunt started writing thrillers under pseudonyms. The ex CIA agent has two books coming out, one in August, another spy novel, and a non-fiction book on Hunt's role in the Bay of Pigs disaster. Right now Hunt doesn't know whether the Danbury prison officials will let him write while he's in jail there.

Washington Post
27 July 1973

Ehrlichman Invokes Privilege on Plumbers

During his interrogation of Ehrlichman, Ervin turned to the FBI's investigation of the Watergate affair. Ervin probed the relationship between the FBI investigation and what Ehrlichman has described as Mr. Nixon's "concern" that the Watergate investigation not endanger any CIA activities.

Ehrlichman said that at President Nixon's instruction White House chief of staff H. R. (Bob) Haldeman had arranged a meeting between Haldeman and Ehrlichman and CIA Director Richard Helms and Deputy CIA Director Gen. Vernon A. Walters "to discuss the question of whether a full, all-out vigorous FBI investigation might somehow turn up and compromise some on-going CIA activity."

Ehrlichman has testified that "some problems" were discovered and that Walters subsequently met with acting FBI Director L. Patrick Gray III. When it was then determined that the Watergate investigation would not endanger any CIA operation, Ehrlichman said, "the President's instructions to the FBI were to conduct a totally unlimited all-out, full-scale in-

vestigation of that and every other aspect of this Watergate matter and that Mr. Gray, and Mr. Gray alone, was to determine the scope. That the President would not limit the scope at all."

During his examination of Ehrlichman, Talmadge cited a memo that Deputy CIA Director Walters had written on July 6, 1972, concerning a conversation he had had that day with acting FBI director Gray.

"In all honesty," Walters said in the memo, "I could not tell him (Gray) to cease future investigations on the grounds that it would compromise the security interests of the United States. Even less so could I write him a letter to this effect."

"He (Gray) said that he fully understood this. He himself had told Ehrlichman and Haldeman that he could not suppress the investigation of this matter," Walters said.

"Gray thanked me for my frankness," the Walters memo continues, "and said that this opened the way for fruitful cooperation between us. He would be frank with me, too. He could not suppress this investigation with the FBI. He had told (Attorney

General Richard) Kleindienst this. He had told Ehrlichman and Haldeman that he would prefer to resign, but that his resignation would raise many questions that would be detrimental to the President's interests."

"I do not believe," Ehrlichman said after parts of the memo were read to him by Talmadge, "that there is anything in it which asserts that I ever asked Mr. Gray to suppress the investigation."

"I wondered why he (Gray) would volunteer mentioning the fact that he had told you if you had not asked him," Talmadge said.

"For this simple reason," Ehrlichman said, "that following our meeting with director Helms and Gen. Walters on the 23d of June, he had a series of conversations with Gen. Walters, and the subject of those conversations, as I understand it, was a question of whether or not the FBI could press forward with its investigation . . . without compromising some CIA operation, and Mr. Gray informed me, as he informed the President, that he could not possibly conduct his Watergate investigation without looking into that aspect of it."

SENTINEL-STAR, Orlando
28 June 1973

Don't Hold Your Breath

JAMES McCORD, the convicted Watergate conspirator, told all to the Senate select committee investigating campaign practices.

Well, maybe not everything. Seems he did fudge a bit and hold back little details. Like linking Richard Nixon to both the burglary and the coverup operation.

BUT DON'T worry — it's all coming out now.

In McCord's book.

Edward Uhlan, president of Exposition Press of New York City, says the former CIA agent is going to tell everything in "Watergate Sanction," to be published in

late July or early August.

Aside from the blockbuster on Mr. Nixon, the McCord book is supposed to provide details about how the FBI was frustrated in its efforts to get at the bottom of the Watergate affair.

Well, we'd expect an author to hold back a nugget or two of gossip to spice up the reviews and spur book sales, but how's Jim going to explain his sworn testimony before the Ervin committee that he had no knowledge of any link between the President and the burglary?

We'll just have to wait for the book to find out. Unless, of course, McCord holds out on us then and reveals he's saving the TRUE story for the movies.

New York Times
27 July 1973

Excerpts From Ehrlichman's Testimony Before the Senate Committee on Watergate

Special to The New York Times

WASHINGTON, July 26—Following are excerpts from the transcript of testimony by John D. Ehrlichman today on the 29th day of hearings on the Watergate case before the Senate Select Committee on Presidential Campaign Activities:

AFTERNOON SESSION

SENATOR ERVIN: You spoke of the Kerner Commission and the Warren Commission. Both of these commissions were appointed by the president in office at the time of their appointment and both of them worked in public, did they not?

MR. EHRLICHMAN: Yes, sir.

Q. And in that respect they were unlike the plumbers who were appointed in secret and whose identity was kept secret from the American people.

A. Well, Mr. Chairman, first of all, their identity was not kept secret. It was the subject of newspaper stories.

Secondly, the reason that I cited you to the reports of those commissions was because they both discussed, or so my information is, they both discussed the use of psychiatric profiles with relation to United States citizens and, of course, one of them brought me to the realization that the Secret Service does conduct such an activity with relation to United States citizens in aid of its protection of the President and the Vice President and others in trying to determine in advance who might be threats to assassination attempts.

So it goes to the point that you raised yesterday that such a technique would be illegal with regard to United States citizens.

Q. Well, was not the existence of the plumbers kept secret from the F.B.I., C.I.A. and other investigative agencies of the Government? **A.** No.

Q. Did you tell Mr. Hoover about them? **A.** Yes, sir, and we also told the Attorney General.

Q. But anyway, you spoke in derogatory terms of Mr. Hoover. **A.** No, I do not intend any derogation of Mr. Hoover.

Q. Well, you said he should have quit the office, that he did not know enough about surveillance, although he had spent his lifetime in it. **A.** I did not say that and I would not intend to say that, Mr. Chairman.

Q. Well, you said he had different ideas about surveil-

lance from what the White House had. **No.** **Q.** Well, you said he would not cooperate with the White House. **A.** What I said was that in a specific instance he had very fixed ideas about the degree to which the bureau should cooperate in this [Ellsberg] investigation.

Q. Yes. He had very fixed ideas when the President appointed Tom Charles Huston to devise him a method of having American citizens spied on. Mr. Hoover had the fixed idea that they ought not to resort to burglary, that they ought not to resort to the use of undercover military agents, that they ought not to resort to virtually unlimited surveillance, and they ought not to resort to mail cover, and that was stated by Tom Charles Huston in documents put in evidence here about 15 times before the President approved those documents. So he did not cooperate.

I am going to say, to speak for his defense beyond the grave since he is not here. I call attention to the fact that Tom Charles Huston told the White House 12 or 15 times in documents recommending burglary, recommending the use of undercover military agents, recommending mail coverage, recommending virtually unlimited surveillance. Twelve or 15 times he [Mr. Hoover] protested against the use of those things and yet the President approved them. And here in the very letter that he wrote to the man who had charge of the surveillance or the effort to get the record of the psychiatrist, here on Aug. 3, a month before the break-in, he said that "If he, Earl Krogh, if you concur we will proceed with interviews of all of the remaining individuals except Daniel Ellsberg."

And knowing Mr. Hoover's ideas, I think he made the exception because he did not make it a practice to interview people who were under indictment.

So there he was willing to cooperate and another thing, along about this time, as a member of the United States Senate, I was fighting the efforts of the Administration to get no-knock laws enacted, to get the detention laws enacted, to expand by executive fiat the powers of the Subversive Activity Control Board, and I was fighting against the proposition of being defender of the Department of Justice that it was all right to use undercover military agents to spy on civilians exercising their First Amendment rights.

And about at that time I got a letter from J. Edgar Hoover, "You have indeed been one of the guardians of our liberties and protectors of four freedoms. All Americans owe you a debt of gratitude."

I don't offer that as any praise of myself but I offer that as evidence of Mr. Hoover's devotion to the basic rights of American citizens, the rights not to be burglarized, and I think that since he can't speak for himself that his comments ought to be able to convey his attitude. I can understand, having heard this testimony, about the Ellsberg matter, why you say that Mr. Hoover would not cooperate with the White House, and he was on the side of liberty.

Now, you testified that the plumbers attempted to get the records of the psychiatrist in order that someone of the C.I.A. or somebody else, might develop a psychiatric profile to enable President Nixon to determine for himself whether Ellsberg was some kind of a kook or was some kind of a foreign intelligence agent. Is that what you told us?

A. Well I don't think it's a question of the President determining for himself, Mr. Chairman. I think this was an effort on the part of the special unit to do as they had done in other cases subsequently to determine where there were holes in either in the Federal Government itself or in the Rand Corporation or these outside units that would permit a person like Ellsberg and his co-conspirators if there were any, to steal massive quantities of top secret documents and turn them over to the Russians.

Q. Well, I can't harmonize with your statement to Senator Weicker that they were not attempting to get the psychiatrist's record for the purpose of assisting in the prosecution of Mr. Ellsberg, and that they were getting them in order that the President might satisfy himself on certain points.

Presidential Power

A. Well, the President, of course, is charged with the proper administration of the departments of the executive branch, the Defense Department, the State Department, the C.I.A. and the outfits like the Rand Corporation and others that contract with those departments, and they have possession of secret documents.

Now, when you have a situation like this one, and you have information coming in from the Justice De-

partment that this individual is involved in a conspiracy, and you have the surrounding circumstances of the delivery of these documents to the foreign embassy, it is incumbent upon the President, as the executive of this executive branch, to satisfy himself that he has done everything possible to be sure that such a thing does not occur in the future, and in order to do that he has to be in a position to know what happened here. Now that was the process that was under way, and I think you will agree with me that that is a proper executive role.

Q. Well, I believe Congress set up the F.B.I. to determine what was going on in this country, didn't it? **A.** Among other things, Mr. Chairman.

Q. Yes. It set up the C.I.A. to determine what was going on in respect to foreign intelligence, didn't it? **A.** Yes, sir. Among other agencies.

Q. It set up the National Security Agency, didn't it? **A.** And the Defense Intelligence Agency.

Q. And the Defense Intelligence Agency. **A.** And a number of others.

Q. But it didn't set up the plumbers, did it? **A.** Of course the Congress doesn't do every thing, Mr. Chairman.

Q. No. But Congress is the only one [that] has got legislative power and I don't know any law that gives the President [power] to set up what some people have called the secret police, namely, the plumbers.

Administrative Prerogative

A. The fact is that the President is granted constitutional powers to make sure these departments of the executive branch work properly and when you have a mistake or when you have a shortfall or when you have a grievous raid on secret papers like this one, the President would be very remiss in his obligation if he didn't move forward on it.

Q. In other words, the way to cope with this thing is to set up a burglar to catch a burglar.

Now, let me ask you one other question. Didn't you know very early after the June 17 break-in that \$114,000 of the President's money had been deposited, at least temporarily, in a bank account [of one] among the burglars, Bernard L. Barker?

A. I don't know that the President's money ever showed up in this.

Q. It was the proceeds of campaign funds that had been given to help elect the President, re-elect the Presi-

dent, don't you know that?
A. You mean campaign contributions?

Q. Yes, A. I see. Your term was not clear.

Q. Well, I will call it Nixon's campaign funds and maybe we can agree on that. Didn't you find out very soon after the break-in that \$114,000 of the President's campaign funds had found their way into the deposit account of Bernard L. Barker, one of the burglars caught in the Watergate?

A. Yes, sir. Without agreeing with the amount because I don't know the amount.

Q. Well, as a matter of fact, didn't you testify in a deposition in a civil case that on the 23d day of June, pursuant to the President's direction, that you discussed this matter of these funds being routed coming out of Mexico with General Walters? A. Yes, sir.

Q. Yes, and the President had talked to you about it.

He asked you to do that, didn't he? A. No, he sent word to me through Mr. Haldeman.

President's Concern

Q. Did Mr. Haldeman bring you word and tell you it came from the President that the President wanted you to find out something about this, these Mexican checks?

A. No, sir, the thing that Mr. Haldeman said to me was that the President had asked that he and I meet with Mr. Helms and General Walters to discuss the question of whether a full all-out vigorous F.B.I. investigation might somehow turn up and compromise some on-going C.I.A. activity.

Q. Wasn't it the activity directed to the Mexican checks. A. Not specifically. I also answered in that deposition that that subject arose at the meeting and was not a part of the instructions that came to me through Mr.

Haldeman.

Q. Well, anyway, you had a meeting with General Walters on the 23d day of June. Just six days after the break-in. A. Yes.

Q. In which it became known that \$114,000 of the Nixon campaign funds had been routed, rather had to come into Mr. Stans's office in the form of three Mexican checks, and that the proceeds of those checks had been deposited in the bank accounts of a burglar in Miami.

A. I am sure that those kind of elaborate details were not discussed.

Q. Well do you know of any other campaign funds of the President, or campaign contributions that were routed into Mexico? A. Not of my own knowledge, no sir.

Q. The President was afraid that if the F. B. I. vigorously investigated these checks, it might interfere with the C. I. A.? A. The Pres-

ident was concerned, he told me later, that the all-out F. B. I. investigation might compromise come C. I. A. activity in Mexico. And the way the F. B. I. was leaking that would be the surest way for that C. I. A. activity then to appear in the nation's press.

Possible Explanation

Q. And it might also explain how come \$114,000 of the proceeds of a campaign contribution to him was found in the bank account of a burglar if they pursued that in investigation?

A. Well, Mr. Chairman, your inference is very unfair. Because in point of fact the President's instructions to the F.B.I. were to conduct a totally unlimited all-out full-scale investigation of that and every other aspect of this Watergate matter and that Mr. Gray and Mr. Gray alone was to determine the scope. That the President would not limit that scope at all.

WASHINGTON POST

26 JUL 1973

Ervin, Wilson: Colloquy on Constitution...

Following up on this discussion, Sen. Herman Talmadge (D-Ga.) questioned Ehrlichman further about the Ellsberg psychiatrist burglary and the question of national security:

Talmadge: Now, in matters involving national security, could the President authorize a forgery?

Ehrlichman: Well, again, you are getting me into an area that obviously is a subject for the experts...

Talmadge: You do not think he could authorize murder, do you?

Ehrlichman: I do not -- as I say, I do not think I am the one to try to respond to that kind of question as to where the line is.

Talmadge: Well, you authorized the break-in, did you not? I was, I was trying to--

Ehrlichman: No, sir, I did not.

Talmadge: You affirmed it yesterday in a memorandum that I saw...

Ehrlichman: No sir, I submit that that is not what that memorandum says...

What that memorandum says is that the investigation which had previously been authorized by me should also include an attempt to ascertain the contents of these files. There is nothing in there about the means to be pursued, and my testi-

mony was, and continues to be, that my assumption was that that could be done by completely conventional investigatory means.

Talmadge: I will read the language: "Covert operation to be undertaken to examine all of the medical files still held by Ellsberg's psychiatrist"

How do you think you could examine all the medical files without a break-in?

Ehrlichman: Well, it has occurred to me since because I have been asked this question before, that one way that it could be done is through false pretenses, through or through perfectly honest--

(Laughter)
--perfectly honest means, one doctor to another, by recruiting the assistance of another psychiatrist or of a doctor or of someone who could get at them that way...

I am not a trained investigator, Senator, and what I know from my own experience is that people who are investigators, as I mentioned yesterday, insurance adjusters, people of that kind have over the years brought to attorneys information of this kind which they have been given the assignment of gaining. It simply was not in contemplation that a break-in, as such would be engaged in...

Talmadge: What relationship did Dr. Fielding (Ellsberg's psychiatrist) have with national security?

Ehrlichman: Well, the CIA perfected a technique, as I understand it and again I am not your best witness on this, in which they can find out a lot about a foreign agent, a foreign official, someone who is the object of their investigation through the device of what they call a psychiatric profile. Two people in this special unit, Mr. (David) Young and Mr. (E. Howard) Hunt had both had experience with the use of these profiles in the past, and they felt strongly that in this case, where there were so many unknowns, we did not know whether we were dealing here with a spy ring or just an individual kook or whether we were dealing with a serious penetration of the nation's military profile of this kind might, certainly not positively, but might add some important additional ingredient which would help to understand the dimensions of the problem.

Talmadge: You do not think--

Ehrlichman: Sir, I cannot vouch for this. I have a kind of an inherent personal doubt about the psychiatry in general, but I cannot second-guess, I cannot second-guess the investigation ex-

perts who have used this technique and, as I say, the CIA maintains a staff and they do this thing on a regular basis and it is used in our Government.

Now, I understand from testimony before the McClellan Committee that the CIA's position is that they have not ever used it before in a case of espionage involving a United States citizen. I do not know whether that is so or not. But in any event, the people involved here were very concerned about what they were dealing with, and they felt that this would be a helpful technique.

Talmadge: You did not think that Dr. Fielding was a security risk to the country, did you?

Ehrlichman: Of course not, no. The identity of the individual here had nothing to do with it, the doctor. The CIA had prepared a psychiatric profile, and it was not helpful.

And when Mr. Young went back to the CIA and said, "This is not helpful," they said, "Well, we do not have enough raw material to go on. You are going to have to get us some more factual information," and so this was then an expansion of the original covert investigation of this individual and his co-conspirators and his pattern and how he got

JOURNAL-CONSTITUTION, Atlanta
5 July 1973

these documents and so on to include the assemblage of such other information as might be helpful to the CIA in finishing this psychiatric profile project.

BALTIMORE NEWS AMERICAN
2'6 JUL 1973

CIA Post Seen Sure For Colby

By PATRICK J. SLOYAN

News American
Washington Bureau

WASHINGTON — William E. Colby, the man President Nixon wants to head the Central Intelligence Agency, seemed certain of Senate Armed Services Committee approval today despite a stiff cross-examination on his role in the Watergate scandal by Sen. Edward M. Kennedy, D-Mass.

However, Kennedy retained his option to stage a fight on the Senate floor against Colby after an unusual four-hour session with Nixon's nominee to be CIA director.

"All matters between the CIA and the White House in the Watergate affair were coordinated by Mr. Colby," Kennedy said Wednesday night. "I'm now awaiting additional information from Mr. Colby before I make up my mind about supporting or opposing his nomination."

In his role as CIA coordinator, Kennedy revealed that Colby conducted a series of conversations with John W. Dean 3d, John D. Ehrlichman and other former top Nixon aides who have been accused of trying to force the CIA to take the blame for the Watergate burglary.

Kennedy, not a member of the Senate Armed Services panel, was granted special permission to grill Colby during a closed-door session Wednesday.

Most members of the panel remained confident that Colby would be confirmed by the committee later this week. But one committee official noted that being tainted by Watergate would pose serious problems for any Nixon nominee on the Senate floor.

ONE OF THE hopeful spinoffs of the Watergate and other sordid affairs is a fresh look at the role of the Central Intelligence Agency.

James Fallows, in an article entitled "Putting Wisdom Back Into Intelligence" for the Washington Monthly, summed up a tough, constructive agenda for reform.

Deciding what the CIA should not be doing (such as fomenting another Bay of Pigs, providing espionage equipment for people like Gordon Liddy and drawing up "psychological profiles" of Americans for political purposes), said Fallows, is much easier than deciding what it should do.

No doubt, he is correct.

Suffice it to say that the CIA, in the years since it was established by Congress with President Truman's blessing, has wandered far from the role that even Harry Truman admitted he had ever envisioned for such an agency.

The National Security Act of 1947, which created the CIA, stipulated that the agency would be used for foreign (as opposed to domestic) intelligence gathering necessary for formulating foreign policy.

However, it left an enormous loophole which some executives and public officials have seized for political and self-serving purposes, seriously damaging credibility and public trust of the CIA.

In a classic catch-all phrase, the act authorized the CIA to "perform such other functions and duties affecting national security as the National Security Council may direct."

That is particularly dangerous when the nation finds itself with a President who confuses national security with personal security and some business firms who believe it proper to use the CIA for carrying out covert inter-

ventions in the domestic political affairs of foreign countries.

The revelations of the joint involvement of the International Telephone and Telegraph Co., the CIA and the White House in secret plans to block the 1970 election of Chile's Socialist President Salvador Allende is a case in point.

As the result of the present poor image of the CIA, William E. Colby's testimony before acting Senate Armed Services Committee Chairman Sen. Stuart Symington of Missouri has significant meaning.

Colby is the former head of the CIA's covert (dirty tricks) operations and the nominee as the new CIA chief.

Never before, according to Washington press accounts, has a nominee for CIA chief been so cross-examined in public as was Colby. That is encouraging.

The nominee is now officially on record that the CIA will refrain from domestic intelligence gathering operations and curb its involvement in overseas wars.

That, at least, is a beginning in redefining CIA's role. And perhaps it is the only way to get at Fallows' question of the agency's legitimate function — through the careful process of elimination.

Colby has also publicly testified that he would welcome a change in the 1947 National Security Act to spell out more clearly the CIA's confinement to foreign intelligence-gathering.

Promises made in public sound nice. But in government and politics they are too easily made and forgotten or twisted from the original meaning.

Congress would be seriously remiss in its duty if it did not follow up Colby's suggestion and move promptly to clarify the CIA's role as contained in the 1947 National Security Act. It should also take a long look at clarifying the role of the entire U.S. intelligence community, of which the CIA is only a small part.

The Wanderings of
CIA

WASHINGTON POST
15 JUL 1973

Rowland Evans and Robert Novak

Kissinger, Rogers And the State Department

The polished corridors of the State Department last week echoed a mocking sound: ridicule of Secretary of State William P. Rogers for what one of his underlings called "a faux pas that anyone in his job for four years should have avoided."

Behind that soft mocking is the beginning of a new low-keyed move to pry Rogers out of State and replace him with Dr. Henry A. Kissinger. True, Kissinger is loathed by some Foggy Bottom diplomats for usurping U.S. foreign policy as President Nixon's alter ego. But he is also seen as the one man who could reestablish State's traditional control and arrest the abysmal decline of morale there.

The Rogers faux pas, as perceived by foreign policy experts both at State and elsewhere in the Nixon administration, was suddenly broaching the subject of U.S. diplomatic recognition of East Germany with Otto Winzer, East German foreign minister, in Helsinki 19 days ago. Some Western European diplomats defend Rogers on grounds he was merely confronting a future probability. Nevertheless, the fact is that he approached the East German crowd without any plan, without an authority from President Nixon and only because he happened to find himself seated near Winzer.

Likewise, Rogers' subsequent, highly-publicized visit to Prague—the

first official visit by a NATO foreign minister to the capital of Czechoslovakia since the Soviet invasion in 1968—stupified senior U.S. diplomatic officials. As one asked rhetorically: "Why should Rogers make himself the first Westerner to crash that barrier?" His answer: "Because the President sends Kissinger to Moscow and Peking and he has nowhere else to go."

Unfair or not, it is precisely such backbiting criticism that makes life miserable at middle and top levels of the State Department.

The demoralization there can be measured. Early in the Nixon-Kissinger-Rogers years, Rogers's top deputies valiantly tried to find out what U.S. policy really was, begging Rogers at morning staff meetings to tell them. Soon, however, they discovered that Rogers himself did not know. Today, therefore, the questions simply are not asked at staff meetings. One example: there has been no informed discussion at top State Department levels of Kissinger's forthcoming trip to Peking. Another example: high-ranking diplomats in the State Department are convinced that neither they nor Rogers himself possess all the details and background of the second Nixon-Brezhnev summit last month.

"We don't even ask for memos (memoranda of conversations) any longer," a high-level State Department official told us. "We know we can't get them."

Some administration policymakers outside the White House, moreover,

worry about possible damage to U.S. foreign policy by what they consider systematic exclusion of the regular bureaucratic machinery from submitting advice and participating in policymaking. The danger, as these officials see it, is that the tight control of information flow by Kissinger's small staff could lead to dangerous mistakes.

Naturally, Kissinger's associates at the National Security Council (NSC) deride all such talk, contending Rogers had all the facts about the second Soviet summit and other key events. They dispute the charge that the President and Kissinger make policy in a vacuum. Finally, they defend secrecy about Kissinger's forthcoming Peking trip on grounds it is nobody's business but the President's.

Even if this NSC rebuttal is accurate, it does not change the fact that State Department professionals feel morale there is deteriorating so badly that Kissinger must replace Rogers.

Kissinger says nothing, but all Washington knows he would love to cap his spectacular career by becoming Secretary of State. The problem is Rogers. After three agonizing years in Kissinger's long shadow, he has learned to live with his impotence and apparently cherishes his ceremonial role. While House insiders say only a direct command from his old friend Richard Nixon would persuade him to leave.

Nevertheless, some presidential advisers far removed from the foreign policy field feel a switch of Kissinger for Rogers has now become essential to stop the State Department from descending into complete bureaucratic paralysis.

They say, moreover, that Mr. Nixon's post-Watergate policy of decentralizing White House power back to the cabinet departments would be stunningly dramatized by moving Kissinger to State. Senior diplomats agree even though they have never loved Henry Kissinger. "He's downgraded and humiliated us," one such official told us; "but if Kissinger came over here he could get 100 per cent support from every one of us."

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WASHINGTON STAR

16 JUL 1973

Kissinger Called Source Of Secretaryship Rumor

Chicago Daily News Service

TOKYO — White House adviser Henry A. Kissinger himself was the source of a report that he will replace Secretary of State William P. Rogers next fall, sources close to Rogers said today.

Rogers, who is here to attend a U.S.-Japan economic conference, has refused comment on the report.

"Henry wants the job, all right," said a State Department official accompanying Rogers. "But he's probably

telling the truth when he says the President hasn't discussed the matter with him. The reason is that Henry hasn't had the guts to ask Nixon for the job."

State Department sources conceded there was a personality conflict between Rogers and old friend of Nixon, and Kissinger, whose spectacular one-man diplomatic coups have thrust the secretary into the background.

These sources conceded that Kissinger had done a

good job, especially in explaining away Nixon's "warlike image" to the Chinese Communists. But they asserted that most of Kissinger's ideas originated in the State Department.

One official said, "One reason Kissinger wants the secretary's job is to get out from under the shadow of Watergate."

Kissinger has admitted "bugging" telephone conversations of his staff and reading the transcripts in a White House drive to plug news leaks.

SKETCH

Beirut Lebanon

13 July 1973

GREECE

Something Nasty in the Woodshed

Question: Which Nazi antiresistance chief was recruited as a top CIA agent, led a *coup d'etat* in his own country with American blessing and conspired to assassinate a neighboring head of state? The answer according to the London *Observer* is none other than George Papadopoulos, who is now revealed to have had a history before his assumption of power in 1967 as squalid as his history since that date.

There are plenty of people in Washington who have qualms about the image displayed by the Greek regime but, however much they fulminate, there seems no end to the aid and assistance that the American administration is prepared to pour into Greece. Athens today is positively crawling with American military and civilian "advisors". Piraeus has recently been opened up as the U.S. Sixth Fleet's home port, 12,000 Greek officers have received training in the U.S. and the high commands of the Greek armed forces and the American forces in the Mediterranean are closely enmeshed. As one member of the resident U.S. military put it, Papadopoulos "controls the most useful piece of real estate around here, a private beachhead in the Mediterranean and the last stop for our planes before Pakistan. George may be short on charm, but we trust him. Well, we have to."

Nazi New Order. As far the Americans are concerned, their trust does not seem misplaced. The *Observer* story shows just how intimately his career has been wrapped up with American designs, and, as a corollary, just where Papa Dop would be without American support. "George gives good value," another advisor is quoted as saying. "Because there are documents in Washington he would not like let out." Those documents probably refer to Papadopoulos' rumored captaincy in a security battalion operating in the Peloponnese during the German occupation that clamped down on British-armed partisans. The author of

the *Observer* story claimed to have met an ex-associate of General Grivas who testified to Papadopoulos' enthusiasm for Hitler's "new order" and, even then, bitter dislike of all things Marxist.

Andreas Papandreou, son of Greece's veteran Liberal leader and now in exile in Canada, relates how he had a great deal of trouble with the KYP during his time as minister of state in charge of intelligence affairs. There he discovered that not only was KYP little more than the Greek arm of the CIA, its agents receiving their salaries and orders direct from Washington, but that it was also engaged in tapping all ministerial conversations and relaying them across the Atlantic. Assiduous efforts to alter this state of affairs came up against a brick wall, succeeding only in dismissing KYP's two top men and the liaison officer with the CIA. This last transpired to be George Papadopoulos.

The White House Connection. Even then, the new KYP No. 2 turned out in the end to be another CIA agent, but only after he had succeeded in completely bugging Papandreou's residence. With such a degree of infiltration, the U.S. could hardly help being at the very least fully aware of the preparations for Papadopoulos' 1967 *coup*. Indeed, all the ringleaders, with the exception of Colonel Pattakos who was brought along on the strength of his tanks, were closely connected with the CIA. The White House ordered a benign neutrality and the colonel's re-

gime was duly instituted.

A New Mussolini? The plot thickens yet more. Tom Pappas was born in the same small village as Vice President Spiro Agnew and it was Pappas' hefty influence in the Republican party that spirited Agnew from obscurity in Maryland to the vice-presidency of the United States. Since then Agnew has been a faithful spokesman and supporter for Papadopoulos and has bestowed the seal of American democratic approval on the regime on more than one occasion. Or, as another stalwart upholder of American democratic rights, Maurice Stans, put it when expressing his pleasure on a visit, Greece is the country "where so many principles underlying our own Declaration of Independence had their origins 2000 years ago."

One of the latest rumored CIA projects is for Papa Dop to dispose of that wily old trouble maker, Makarios, and reannex Cyprus as a new U.S. advanced base, but the *Observer* thought that the dictator was no longer just a CIA stooge. Six years in power have given him ideas. The establishment of the republic seems to have been Papadopoulos' own scheme and his American mentors could only look bemusedly on. Now the ex-collaborationist captain has an entire officer corps fashioned in his own friendly image. One American general was heard to say "it's the best damn government since Pericles", but, reaching out for Cyprus and the *mare nostrum* Papadopoulos is getting to look uncommonly like Mussolini.

NEW YORK TIMES
3 August 1973

Excerpts From Testimony Before the Senate Committee Investigating Watergate

Special to The New York Times

WASHINGTON, Aug. 2—

Following are excerpts from a transcript of testimony today by Richard Helms, Ambassador to Iran and former director of Central Intelligence, on the 34th day of hearings on the Watergate case before the Senate Select Committee on Presidential Campaign Activities:

MORNING SESSION

Richard Helms

MR. DORSEN: Did you have a conversation with General Cushman concerning Howard Hunt in the summer of 1971?

MR. HELMS: Yes. I recall that General Cushman informed me that he had authorized giving to Howard Hunt a tape recorder and a camera, and I asked for what purpose and he said he wanted to conduct a one-time interview and that he had been properly authenticated by the White House and that he was working at their behest.

Q. Now you have indicated that in your conversation with General Cushman that you indicated to General Cushman that John Ehrlichman should be called. Why was it that John Ehrlichman was to be called?

A. Because it was my distinct impression that he was the one who had arranged with General Cushman to have Hunt get these pieces of equipment.

Q. Mr. Helms, I would like to move then to June 23, 1972, and ask you if you recall attending the meeting with Mr. Ehrlichman, Mr. Haldeman, and General Walters. A. I do recall attending that meeting.

Q. Where was that meeting held? A. That meeting was held in Mr. Ehrlichman's office on the second floor.

Meeting Described

Q. Could you please describe to us in substance what happened at that meeting.

A. General Walters and I arrived first and waited for a few minutes. Then Mr. Haldeman and Mr. Ehrlichman came into the room as best I can recall what was said, and Mr. Haldeman did most of the talking, so—and whatever Mr. Ehrlichman contributed in the course of this was either to nod his head or smile or to agree with what Mr. Haldeman said. I just simply want to introduce it this way because it is a little easier for me to describe.

Mr. Haldeman said that there was a lot of flak about the Watergate burglary, that the opposition was capitalizing on it, that it was going to—it was apparently causing some sort of trouble, and

he wanted to know whether the agency had anything to do with it. He then said that the five men who had been found in the Democratic National Committee headquarters had been arrested and that that seemed to be adequate under the circumstances, that the F.B.I. was investigating what this was all about, and that they, unified, were concerned about some F.B.I. investigations in Mexico.

He also at that time made some, what to me was an incoherent reference to an investigation in Mexico, or an F.B.I. investigation, running into the Bay of Pigs. I do not know what the reference was alleged to be, but in any event, I assured him that I had no interest in the Bay of Pigs that many years later, that everything in connection with that had been dealt with and liquidated as far as I was aware and I did not care what they ran into in connection with that.

At some juncture in this conversation Mr. Haldeman then said something to the effect that it has been decided that General Walters will go and talk to Acting Director Gray of the F.B.I. and indicate to him that these operations—these investigations of the F.B.I. might run into C.I.A. operations in Mexico and that it was desirable that this not happen and that the investigation, therefore, should be either tapered off or reduced or something, but there was no language saying stopped, as far as I recall.

At this point, the references to Mexico were quite unclear to me. I had to recognize that if the White House, the President, Mr. Haldeman, somebody in high authority, had information about something in Mexico which I did not have information about, which is quite possible—the White House constantly has information which others do not have—that it would be a prudent thing for me to find out if there was any possibility that some C.I.A. operation was being—was going to be affected and, therefore, I wanted the necessary time to do this.

I say this in explanation of the fact that there seems—that since I had consistently pointed out that no C.I.A. operations had been violated by an investigation up to then, that we had had nothing to do with the Watergate burglary, the fact of the matter was that if an investigation continued to go on it might run into something we were doing in Mexico. This possibly always had to exist. Nobody knows everything about everything.

So at this point I think it was repeated a second time that General Walters was to go and see Acting Director Gray with this charge. It was then indicated that Acting Director Gray would probably be expecting the call, that he was looking for some kind of guidance in this matter, and that this should take place as soon as possible. I believe Mr. Ehrlichman at that point made his sole contribution to the conversation, which was that he should get down and see Gray just as fast as he could.

We left this meeting. General Walters and I, and went downstairs to the automobile and I spoke to General Walters along the following lines. I said when you go to see Acting Director Gray, I think you should confine yourself to reminding him that the agency and the F.B.I. have a delimitation agreement, an understanding, for many years that if the agency runs into any F.B.I. agents or operations, the F.B.I. shall be immediately notified and if the F.B.I. runs into any agents or operations, it shall be immediately notified.

I was not sure whether Acting Director Gray was familiar with this because he had not been acting director of the F.B.I. for very long. I wanted General Walters to understand about this because he had been with the agency, I think, only about six weeks at that time, had been having briefings, and I was not sure whether this had ever come to his attention.

In other words, I was asking him to make a legitimate request of the acting director of the F.B.I. that if they ran into any C.I.A. operations in Mexico or any place else they were to notify us immediately and I thought General Walters should restrict his conversation with Acting Director Gray to that point. Precisely whether he did or not, well, you will have an opportunity to ask him.

Q. To your knowledge, did General Walters have a meeting with Patrick Gray?

A. Yes, he had one very shortly after this meeting in the White House because he reported to me later in the day about his meeting with Gray, that he had been to see him, that the general purport of what they had discussed, and then the first time I learned that Acting Director Gray had told General Walters at this meeting about some money having been sent to Mexico. I was unaware of any money having been sent there at the time, and even that explanation did not say what the money was for.

But also floating around in this at the time was the name of a Mexican lawyer that we had been asked to check out by the F.B.I. to find out if this man was in any way connected with the C.I.A. His name was Ogarrio, I believe, and we had been running traces, going through the record to find out and check with our people in Mexico to see if they knew him, and so forth, and it was some day subsequent that we got the information back that he was indeed a lawyer in Mexico but we had never had any connection with him and I so notified the F.B.I.

Q. Now, on Monday, June 26th, did General Walters receive a telephone call from John Dean?

A. General Walters told me that he had been called by a man he did not know in the White House named John Dean, and that Dean asked to see him, and when Walters said, "Well, what do you want to see me about," and so forth, I believe Dean referred to the matters on which we had talked with Haldeman and Ehrlichman on the previous Friday. In any event, Dean said to General Walters, "if you want to verify my bona fides and who I am and my authority to talk with you please call John Ehrlichman."

Verified With Ehrlichman

So by the time Walters talked to me he said he had talked to Dean, had verified by telephone conversation with Ehrlichman that it was all right to talk to Dean and that he was going down to see him.

Q. When General Walters came back from seeing Mr. Dean, did he talk to you about the meeting?

A. He reported the meeting to me and told me that Dean had raised with him this question of the Watergate burglary, that there was a lot, there were a lot of problems in connection with it, problems unidentified. Was there any way in which the agency could help, and so on.

It was quite clear that some kind of feelers were being put out to see, (a), if there was any agency involvement or, (b), whether the agency was prepared to assist in some way which was not at all identified.

It was at this meeting with General Walters when he was reporting this to me that I told him that I wanted him to be absolutely certain that he permitted nothing to happen which was the agency's name,

facilities or anything else in connection with this business. I said I did not care whether he wanted to be a scapegoat, I did not care whether he was prepared to quit on the

issue, I did not care anything about that I simply wanted him to do absolutely nothing because I told him point blank even though he was a military officer and even though he was a Presidential appointee, that if he did something wrong it would besmirch the name of the agency no matter whether he took the blame or not and that was simply not going to happen and I wanted him to be abundantly clear on this in any conversation he had with Mr. Dean or anybody else and as he reported to me on the subsequent two conversations with Mr. Dean I not only reaffirmed this but I said, "You hang in there, you are doing fine, but don't you yield an inch."

2 Meetings Recalled

Q. Could you briefly summarize, of course, Ambassador, what General Walters told you with respect to the meeting of the 27th and the meeting of the 28th?

A. It is my recollection that it was at the meeting of the 27th, which was Tuesday, I believe, that the issue first came up of whether or not the C.I.A. out of its covert funds was prepared to provide bail money for the defendants in the Watergate burglary. Not only did this issue come up, but I also believe that the additional point was made would it be possible for the C.I.A. to pay the salaries of these individuals while they served their jail sentences.

General Walters, and I have told you about the conversation I had with General Walters the day before about how he was to guide himself in this matter, pointed out to Mr. Dean that the agency could not possibly do anything like that.

Mr. Thompson: I would like to refer to your testimony before the Committee on Armed Services, Thursday, May 17, 1973.

Mr. Helms, were Mr. Walters and yourself being questioned at the same time on this occasion? Were you in the same room together? A. On that occasion General Walters was sitting on my right and General Cushman was sitting on my left and we were in the room together the whole time.

Q. All right. Let me read, if I might.

"Ambassador Helms: Were you"—first of all, "Mr. Woolsey. Let us go back to the meeting itself for a moment. When Mr. Haldeman said that it had been decided that the general should call on Mr. Gray, did he say or intimate in any way who had decided upon that course of action?"

"Ambassador Helms: Well, you can make an intimation of that but I would rather not draw out the intimation, if the chairman will relieve me of that. Here was Mr. Haldeman, Mr. Ehrlichman, the two most senior officials in the White House next to the President him-

self, giving this instruction. And I really feel like now, as I did then, that it would have been presumptuous to have pressed them any harder as to how they had come up with this, or where they had gotten the idea, or who was behind it.

"Mr. Woolsey: You said Mr. Haldeman mentioned the Bay of Pigs. Did he mention the Watergate case itself in the course of the conversation?"

"Ambassador Helms: No.

"Mr. Woolsey: He did not?"

"Ambassador Helms: No.

"Senator Symington: General Walters, you confirm that, do you?"

"General Walters: Yes, sir. He did not mention the Watergate.

"He did in the introduction when he said this case had stirred up a lot of things and the opposition is attempting to exploit it. That was the reference I testified to previously. I believe as he came in he said, the Watergate has stirred up a lot of things. And the opposition is attempting to exploit it"—this is General Walters talking—"and it has been decided that you will go. That was the inevitable lead into the whole reference."

"Senator Jackson: He decided that you will go?"

"General Walters: To Mr. Gray, tell him that if he pursues the Mexican part of the financing of this business it will uncover C.I.A. assets or schemes for moving money."

Affidavit Quoted

"Mr. Woolsey: I should perhaps read into the record here a few sentences from General Walters's affidavit:

"As I recall it, Mr. Haldeman said that the Watergate incident was causing trouble and was being exploited by the opposition. It had been decided at the White House that I would go to Acting F.B.I. Director Gray and tell him that now that the five suspects were arrested, further inquiries into the Mexican aspect of the matters might jeopardize the C.I.A.'s activities in this area."

"Was there any discussion in the meeting at all of Watergate?"

"Ambassador Helms: Not to the best of my recollection. And I frankly was hard put at the time to understand what Mexico was involved with. This was only a week after the break-in. I did not know why Mexico was being mentioned, and it never occurred to me that it had anything to do with the Watergate burglary."

"Senator Symington: General Walters, do you agree with that?"

"General Walters: To me the whole question was connected by virtue of the beginning of the thing when he said the Watergate could be opened as a preliminary, as a lead-in, as to why he wanted me to go. It was obviously a lead-in to this, but he did not go into any discussion of the Watergate other than what I said in the beginning."

Then you go to other mat-

ters, Mr. Helms.

Let me see if I summarized this correctly. The question was put directly to you first, as to whether or not there was any Watergate discussion and you said there was not.

Lapse of Memory

A. That was the way I recalled it, Mr. Thompson, at the time. Since then I have seen General Walters's memorandum for the record. I have talked with him about this and we went over again what had occurred and I frankly at that point had forgotten this lead-in to the conversation. After all, I had been away for some time.

Q. Well, I am certainly not accusing you or any other witness of anything but I do want to clear it up. Let me make sure I have my chronology right. I am reading from page 21-A of the transcript. The question was posed to you, you said no. He said did you know? you said no.

"General Walters, do you confirm that," and General Walters said, "Yes, sir, he did not mention the Watergate." Then Mr. Woolsey said this is something we should get cleared up and he refers to General Walters's affidavit at that time which he had previously submitted in which he mentioned these things.

A. Mr. Thompson, what I am referring to and what I saw subsequently was a memorandum for the record which I believe is in the custody of the committee which was written several days after this 23 June conversation.

Q. Mr. Helms, are you basing your testimony now on your own memory or on Mr. Walters's memory? I mean, you recounted your faith in his memory which I am sure is probably well placed, but I would think that this would be a rather significant matter.

Memory or Faith

If Haldeman and Ehrlichman as has been widely reported from the basis of this memorandum which I just referred to, I suppose, came in and said, five people have been arrested and that ought to be enough, and if that is the lead into as how the C.I.A. or F.B.I. should conduct its investigation and the basis of C.I.A. contact with F.B.I., I would think that this was something that you would remember.

So, I am really trying to determine whether your testimony is based upon your own independent recollection or just after having read this memorandum and your faith in General Walters's recollection.

A. Well, it is a combination of the two, Mr. Thompson, because when he jogged my memory and we went back over the meeting together then I did recall these other remarks having been made.

Q. Well, he jogged your memory here in the testi-

mony before the committee also. On page 21-A here, after a member of the committee evidently raised the matter of the affidavit of memorandum, General Walters said this. He did in the introduction when he said referring to the meanings of the Watergate—in the introduction when he said this case has stirred up a lot of things and the opposition is attempting to exploit it.

I believe your testimony here today was attempting to capitalize on it.

"That was the reference I testified to briefly, I believe"—and I assume he is referring to his affidavit or memorandum—"I believe as we came in he said the Watergate has stirred up a lot of things. The opposition is attempting to exploit it. It has been decided that you will go, that was inevitable lead-in."

"Mr. Woolsey: I should perhaps read into the record a few sentences of General Walters's affidavit" and then at that time they read into the record a few sentences of General Walters's affidavit which you just referred to which is the memorandum I referred to.

"As I recall it, Mr. Haldeman said that the Watergate incident was causing a lot of trouble being exploited by the opposition, decided by the White House, I should go on Acting F.B.I. Director Gray, and five suspects were arrested. Further inquiries into the matter might jeopardize some C.I.A. activity." And another question is put by a member of the committee.

"Was there any discussion in the meeting at all of Watergate?"

"Ambassador Helms: Not to the best of my recollection."

A. Well, I didn't recall at that time but when I went over this with General Walters and we tried to piece this meeting together, then I did recall that these matters had been alluded to.

Q. In comparing your testimony today with what his memorandum says, a couple of things do strike me. His memorandum dated June 28 says that—"June 23, at 1300 on request I called Director Helms on John Ehrlichman and Robert Haldeman in Ehrlichman's office at the White House."

"Haldeman said that the 'bugging' affair at the Democratic National Committee headquarters at the Watergate apartments had made a lot of noise and the Democrats were trying to maximize it."

Then down here he said, "Since five suspects had been arrested that this should be sufficient."

Let me ask you a few other things about this memorandum while we are at it, Mr. Helms. He states in here also that Haldeman said the whole affair was getting em-

barrassing and it was the President's wish that Walters call on Gray and suggest to him that since five suspects had been arrested this should be sufficient. It was not advantageous to have the inquiry pushed, especially in Mexico.

Do you recall the President's name being mentioned?

A. No, I still don't agree with General Walters about that. I don't recall it having been put that way.

Q. Director Helms said, again reading from the Walters memorandum, he talked to Gray on the previous day, they made plain to him that the agency was not behind the matter and was not connected with it. None of the suspects was working for it nor had worked for the agency in the last two years. He had told Gray that none of the investigators was touching any covert projects of the agency, current or on-going.

Did you tell Mr. Gray that it was touching none of the covert projects of the agency or did you have any basis for saying that at that time?

A. I was unaware of any covert projects of the agency that had been touched on up to that time.

SENATOR MONTROYA: Mr. Ambassador, did you know James McCord personally? A. Yes, Senator Montroya.

Q. What kind of a man was he? A. He had a good reputation.

Q. And what was his reputation for veracity? A. I have never had any cause to question Mr. McCord's reputation for veracity.

Q. Would you say that his reputation as a human being, as a man, as an employee was very good? A. Yes, it was. He left a good record behind him.

Q. And what can you say about Mr. Hunt? A. Yes, I did know him.

Q. What was his reputation? 'A Good Reputation'

A. Well, Mr. Hunt was—had a, well, he had a good reputation, there was some question at various times during his employment about how well he carried out certain assignments but there was nothing malign about this. It was just a question of his effectiveness. Mr. Hunt was a bit of a romantic, he used to write books in his spare time, and I think there was a tendency sometimes for him to get a little bit carried away with some of the things he was involved in but he had never done anything illegal or nefarious that anybody was aware of and when he left the agency he left a decent record behind.

Q. What would you say about his reputation for veracity? A. Well, I have said, sir, that he was a romantic, I think that I just do not have any way of being able to answer that. I would have assumed that in matters of importance he would tell the truth.

SENATOR ERVIN: You did

know that Mr. Ehrlichman was a very important aide in the White House and also you know that C.I.A. put an end to the — when C.I.A. put an end to giving help to Mr. Hunt, that Mr. Ehrlichman was notified that Mr. Hunt had become a pain in the neck.

So, didn't it strike you when you learned of these things, didn't it strike you as strange that the White House would engage in undercover work on its own initiative rather than resort to the use of the F.B.I.?

A. Well, you know, Senator Ervin, at that time there was no intimation that this was even undercover work. What I understood Mr. Hunt had told General Cushman was that he wanted to conduct an interview and there was no intimation that this was undercover work.

Q. Well, now, here is a wig. That was—you didn't think that the wig was to improve the appearance of the—the pulchritude of Mr. Hunt, did you?

A. I assume that in retrospect because I didn't remember about the wig at the time, Mr. Chairman, as I have testified, but I have assumed in retrospect that Mr. Hunt wanted to conduct this interview disguising himself as someone else but that we didn't know that at the time.

'Definitional Problem'

Q. Well, when a man undertakes to disguise himself as someone else, he is engaged in undercover work, isn't he?

A. Well, we run into a definitional problem, sir.

Q. Well, you didn't think that he applied for this voice alteration device in order to sing a different part in the choir, did you?

A. Mr. Chairman, my problem here is that at the time that this was going on, I do not recall having been told that he had been given a wig and a voice alteration device. I found that out in May of this year.

Q. Now, there has been some examination indicating that perhaps you and General Walters had some discrepancy, there was some discrepancy of a slight nature in the testimony you gave before, I believe, Senator Symington's committee.

A. That is right, and this misunderstanding was all hanging out there in the committee. I mean, this is just the problem of human recollections, and I realized through these hearings I was told by some gentleman this morning that people seem to have a good forgettery when they

get into this chair. I do not pretend to be any better or any worse than anyone else and my memory is fallible from time to time, but I am doing my very best at all of these hearings to tell you what I remembered at the time. And as far as the small disagreement between General Walters and I were con-

cerned when we talked it over and analyzed the conversation and reconstructed it, I had to admit I had forgotten.

Scripture Quoted

Q. This is not, this question is not asked in any, intimating any criticism at all because I just illustrated myself with this morning that my memory is quite fallible and although there are some other good men's memories, I will strike myself out of the good men, but the memories of other people are fallible and the gospels of Matthew, Mark, Luke and John tell us that when Pontius Pilate, the Roman governor, ordered the crucifixion of Christ that he wrote out a title and had it placed, put on the cross, and people who have an opportunity to read something, where it is just reduced to writing, it is more apt to be accurate than just what we hear, and it is rather significant that these writers of these four gospels disagreed exactly what this title that was put on the cross said.

The 37th verse of the 27th chapter of Matthew says that the writing which was put on the cross read as follows: "This is Jesus, the King of the Jews."

The 26th verse of the 15th chapter of St. Mark has a different version. It says, "The King of the Jews."

The 38th verse of the 2d chapter, St. Luke has still a different version of what was on this title and it says, the title was, "This is the King of the Jews."

And then the 19th verse of the 19th chapter, St. John has a fourth version of the same words or the same title, rather, "Jesus of Nazareth, the King of the Jews."

And so I say that if those four good men could have different versions of the same words it is quite understandable why you and I and other human beings have sort of fallible memories about things sometimes.

There is another thing I have noticed about the human mind and that is this, that sometimes when something occurs at first we have the recollection that certain things were said, and our memory does not tell us that certain other things were said, but when we hear the testimony of other people or sometimes look at a document that our memories become refreshed and things that were hidden somewhere in an unconscious part of our mind become fresh to our memories again, and so I just want to say these things because I do not attribute too much importance to the fact that human beings do not recall all conversations, and all, even all written words exactly alike.

And I would just like to say this, Mr. Helms, from the observation of the work you did as director of the C.I.A. and from the contacts I had with you, I think you did a magnificent job in that capacity.

A. Thank you, Mr. Chairman.

NEW YORK TIMES

4 August 1973

BAR TO F.B.I. ROLE ALLEGED BY M'CORD

WASHINGTON, Aug. 3 (AP)

James M. McCord says the Justice Department blocked the Federal Bureau of Investigation from searching the homes and autos of Watergate defendants shortly after the break-in on June 17, 1972. Such searches, he contends, would have enabled agents to break the case quickly.

McCord said that at the time of his arrest he had in his residence \$18,000 in \$100 bills and other evidence that would have led directly to top officials in President Nixon's election campaign.

He commented in the first of a three-part copyrighted series of articles published in the August edition of Armed Forces Journal, a privately published

magazine aimed at a military audience.

The convicted Watergate burglar is a former Air Force officer and a former agent for both the F.B.I. and Central Intelligence Agency.

McCord wrote that senior F.B.I. officials had been turned down by the Justice Department when they sought war-evidence in the possession of Watergate defendants.

In his residence, he said, agents would have found electronic equipment related to the Watergate operation, \$18,000 in left-over funds, private copies of wiretap logs and "some pencilled notes from January and February, 1972, mentioning not only John Mitchell's name but the names of John Dean and Jeb Magruder as meeting with Mitchell during those early 1972 months to discuss the Watergate break-in."

WASHINGTON STAR-NEWS
Washington, D. C., Friday, August 3, 1973

Partisanism Quickly Billows in Helms' Wake

By Mary McGrory
Star-News Staff Writer

Richard Helms, the former director of the CIA was the first Watergate witness to smoke on the stand. He was also the most debonair at the outset.

He had no written statement, no image to push before him and seemingly no ax to grind. Unlike the others, his career was not formed or shaped by Richard Nixon.

Until recently on Capitol Hill he had a reputation for candor. Even the doves respected his professionalism, and admired his manners. He was the civilized spook.

He was sent forth from the agency he loved and served "from the day the doors opened" by Richard Nixon. He is now ambassador to Iran and has been called back frequently to tell what he knows about Watergate, which he insists is nothing.

WHETHER he was eased out as punishment for his dissent from the more heated fancies of Melvin R. Laird and Henry Kissinger or because he failed the President in the Watergate crunch is not clear.

His appearance before the special Senate Watergate committee set off the most intense, below-the-surface cross-currents of the hearings. The President's allies, now openly led by Howard Baker of Tennessee, tried to undermine his credibility, while Chairman Sam Ervin labored to picture him as a meticulous public servant who bravely resisted the desperate and clumsy White House effort to make the CIA take the rap for Watergate.

Sen. Lowell Weicker, R-Conn., asked Helms if he had ever considered resigning because of the indignities that were visited upon him and his agency during the Watergate affair.

But Helms is one of those familiar Washington types who feel they serve

their government best by resisting evil from within, and who can imagine no life outside the charmed circle of public service.

HE IS as he said several times, "prudent," and his opening remark seemed an effort to suggest he shares Richard Nixon's views about the press as the source of their present common embarrassment.

"It doesn't seem to get across very well that the agency had nothing to do with the Watergate break-in," he shouted in his most forceful moment. "I hope all the newspapermen in the hearing-room can hear me."

It was not, however, the press which raised suspicions of CIA involvement. It was Richard Nixon and he clung to it with a stubbornness attested to by his closest aides.

The White House did not trust Helms to take the point.

On June 23, when he and his deputy, Gen. Vernon Walters, were summoned by Haldeman and Ehrlichman to the White House, Helms was told that his subordinate, Walters, would carry out the mission of making sure that acting FBI Director L. Patrick Gray understood that the FBI in its Watergate investigation must not trespass on CIA operations in Mexico—which Helms would learn only later was the laundromat of the campaign checks.

"YOU WERE being talked around," Weicker suggested.

"Yes," said Helms still somewhat wistful about the loss of status. "I had mixed emotions about this. Any sensible person would have wondered why I

wasn't asked to do this."

One interpretation is that Walters was an Army officer, and used to taking orders.

"But," Helms added ambivalently, "I had been in government for 20 years and I am used to taking orders, too."

When later, three days running, John Dean put out feelers about the CIA using its secret funds to pay bail and salaries for the defendants, he approached Walters, the White House man in the agency.

"He was very good about it," Helms said in a pathetic show of diminished authority. "He told me each time when he was going down and what happened."

Sen. Daniel Inouye D. Hawaii, inquired politely if Helms had thought of going to Congress and blowing the whistle?

"I THOUGHT my job was to keep the agency clean," Helms replied.

Besides, he was already compromised. Howard Hunt, under White House auspices, had been using the CIA as a wig-and-camera shop behind his back. And Helms had yielded to White House pressure and ordered a "psychological profile" of Daniel Ellsberg.

So he was not in a powerful position. Baker bore in on him about the break-in. The men caught at Watergate had CIA ties—one of them was even on an agency retainer, an embarrassed Helms confessed. Why had Helms not launched an "immediate inquiry?"

"Let's halt," said Helms bowing his head. "They were in jail . . . I thought the FBI was handling it."

"So did the White House," Baker concluded triumphantly.

MacArthur and with President Eisenhower at Geneva in 1953.

More recently, he won the respect of Democrats like Lincoln Gordon and Sargent Shriver for the grasp of local conditions that he acquired as military attaché in the Rio de Janeiro and Paris Embassies.

The career of the husky 6-foot-3-inch general has been unorthodox in many ways. He is not a West Point graduate and has never had a field command. Much of his success seems based on his ability as an interpreter and as a military attaché who could cultivate extensive contacts in any country that he was assigned to.

This background has reportedly been the object of considerable criticism by C.I.A. career officials who feel that General Walters' experience as an attaché is insufficient qualification for the agency post President

NEW YORK TIMES
4 August 1973

A Dedicated Deputy of the C.I.A. Vernon Anthony Walters

Special to The New York Times

WASHINGTON, Aug. 3—An angry, jeering mob surrounded the limousine, beating on the roof and chanting anti-American slogans. Inside the car that hot May afternoon in Caracas 15 years ago was Richard M. Nixon, Vice President of the United States, who was on a "good will" tour of Latin America. Sitting in the front seat was an American Army colonel, Dick Walters, who was serving as his interpreter. Recalling his harrowing experience four years later, Mr. Nixon wrote in his book "Six Crises":

"One of the ringleaders—a typical tough thug—started to bash in the window next to me with a big iron pipe. The shatterproof glass did not break, but it splattered into the car. Walters got a mouthful, and I thought for an instant, 'There goes my interpreter.'"

Vernon Anthony Walters survived what Mr. Nixon would call the fourth of his "Six Crises" and now finds himself, as deputy director of the Central Intelligence Agency, playing a major role in Mr. Nixon's seventh crisis, the Watergate scandal.

Today, Mr. Walters, now a lieutenant general, testified before the Senate Watergate committee and was asked

why he had not made use of his long acquaintance with President Nixon to warn him about the attempts to involve the C.I.A. in the Watergate cover-up.

General Walters sought to minimize the relationship that John D. Ehrlichman had reportedly said made him a "good friend of the White House" within the intelligence agency.

As a linguist fluent in eight languages, General Walters has served a range of prominent political figures. He was in Paris as an aide to W. Averell Harriman in the early years of the cold war, with President Truman at his historic meeting with General of the Army Douglas

6 AUG 1973

Nixon chose from for on March 2, 1972.

"His reputation," said one person familiar with the C.I.A. yesterday, "is that of a guy who speaks in four or five languages and thinks in none."

But that assessment would be vehemently contested by his friends and supporters, who say that the 56-year-old general is an aggressively brilliant man with a sophistication and perception rare for a soldier.

These people describe him as a hard-working and dedicated officer who looks on his skills as an interpreter with mixed emotions, because they have prevented him from attaining the field command that he has always wanted.

In many ways, the course of the C.I.A. official's career was set by his childhood. Born in New York on Jan. 3, 1917, Vernon Walters was the youngest of a wealthy insurance agent's three children. After suffering a series of financial reverse, his father decided in 1923 that the family could live better in France.

Enlisted in 1941

The family moved there, and during vacations traveled in Europe. Vernon Walters learned Spanish and Italian as well as French.

After graduating from a French lycée, Mr. Walters attended Stonyhurst college in England, where a cousin of his mother's, a Jesuit priest, was the rector.

General Walters enlisted in the Army as a private in 1941. Within a year he was made an officer in intelligence. By the end of the war he was a major. He decided to make the Army his career.

A bachelor, General Walters cared for his mother for many years until her death.

As military attaché in Paris, he entertained frequently. He lives more quietly now in the officers' quarters at Fort Myer, Va.

Watergate—Any Effects Overseas?

There's at least one place in the U. S. Government where Watergate's fallout is causing surprisingly little turmoil—at least for now: the State Department.

In capital after capital around the world, foreign officials and U. S. diplomats told staff members of "U. S. News & World Report" that day-to-day dealings with Washington are on a business-as-usual basis.

One European Foreign Minister says privately that he has had no disruption whatsoever in his communications with the U. S. Government. "On that score," he said, "I would not be aware of Watergate if I weren't reading about it in the papers."

Japanese officials in Tokyo say they can detect no serious slowdowns in Washington's actions. No meetings have been canceled, and negotiations on consolidation of military bases are proceeding, the Japanese noted.

Happy State. In Washington, morale at the State Department is described by aides as actually on the rise since the Watergate scandal erupted this spring.

Two reasons are given for that brighter mood:

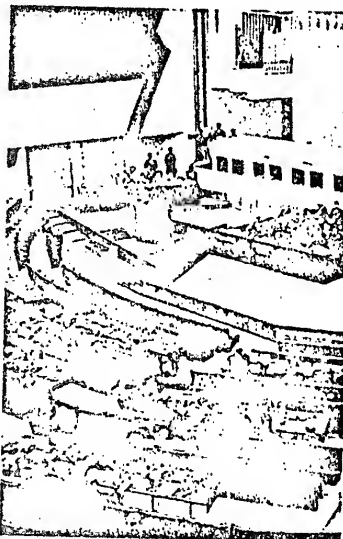
For one, more career Foreign Service officers have been named ambassadors recently. "Before Watergate, ambassadorial appointments were almost totally frozen for career men to make way for the President's political choices," explains an insider. "Since Watergate, the appointments have opened up."

Another reason given for the upturn in morale is what is sensed to be a more co-operative attitude by the office of Henry Kissinger, President Nixon's chief foreign-policy adviser. State Department people say that since Watergate troubles got hot, the Kissinger group has made a point of seeking the State Department's views before most foreign-policy decisions are taken.

Few delays. Top-level officials say that despite the President's concern with Watergate, he has been available for meetings on such key issues as arms control and relations with Russia.

"When it's a front-burner problem, you can get presidential decisions," says a State Department official. "On the unimportant stuff, there are delays."

Worries keep cropping up about the impact on American influence and prestige abroad if President Nixon



At Helsinki conference on security, it was business as usual for U. S. envoys.

on is unable to ward off attempts in Congress to pare U. S. defenses.

But, by and large, this concern is seen as a future problem, as shown by a sampling of cables from abroad:

London reports that British officials have been impressed by the fact that the Nixon Administration has maintained the momentum of foreign affairs despite Watergate.

A British diplomat points out that Americans "have played their part in NATO and in negotiations at the European Security Conference in Helsinki, unaffected by Watergate."

It also is pointed out that President Nixon himself took the time to brief NATO representatives on his summit talks with Russia's leader, Leonid Brezhnev.

Pull-back feared. In Bonn, West German and American officials insist that relations between them haven't been disturbed and that no project has been delayed.

But Germans are afraid that Mr. Nixon's weakened position could open the way for Congress to pull back troops from Europe. And they don't like the idea that Chancellor Willy Brandt's recent private talks with Mr. Nixon are on tape. But generally, Watergate is far overshadowed by problems in Germany itself.

Taken together, the picture of the U. S. from abroad is of a Government still functioning normally on most matters.

NEW YORK TIMES
4 August 1973

Excerpts From Testimony Before the Senate Committee Investigating Watergate

WASHINGTON, Aug. 3—
Following are excerpts from
testimony today on the 35th
day of hearings on the Water-
gate case before the Senate
Select Committee on Presi-
dential Campaign Activities:

MORNING SESSION

Gen. Vernon A. Walters

MR. DASH: Did you short-
ly actually after you became
deputy director of the Cen-
tral Intelligence Agency, did
you attend a meeting at the
White House with Mr. Halde-
man, Mr. Ehrlichman and Di-
rector Helms on June 23,
1972?

GENERAL WALTERS: Yes,
I did.

Q. All right, now, would
you relate to the committee
what Mr. Haldeman said and
what you or Mr. Helms said?

A. Mr. Haldeman said that
the bugging of the Watergate
was creating a lot of noise,
that the opposition was at-
tempting to maximize this,
that the F.B.I. was investi-
gating this and the leads
might uncover some C.I.A.
tant people, and he then
asked Mr. Helms what the
agency connection was. Mr.
Helms replied quite emphat-
ically that there was no
agency connection and Mr.
Haldeman said that never-
theless, the pursuit of the
F.B.I. investigation in Mexico
might lead to some impor-
tant activities or assets.

Mr. Helms said that he had
told Mr. Gray on the pre-
vious day, the acting director
of the F.B.I., that there was
no agency involvement, that
none of the investigations be-
ing carried out by the F.B.I.
were in any way jeopardizing
any agency activity. Mr. Hal-
deman then said, "Neverthe-
less, there is concern that
this investigation, this in-
vestigation in Mexico may
expose some covert activity
of the C.I.A., and it has been
decided that General Walters
will go to Director Gray,
Acting Director Gray, and tell
him that the further pursuit
of this investigation in Mex-
ico," and I wish to emphasize
that the only question of in-
vestigation involved was Mex-
ico, "the investigation in
Mexico, could jeopardize some
assets of the Central Intelli-
gence Agency."

'There Is Concern'

Again Mr. Helms said he
was not aware of any activity
of the agency that could be
jeopardized by this. Mr. Hal-
deman repeated, "Neverthe-
less, there is concern that the
further pursuit of this in-
vestigation will uncover some
activity or assets of the
C.I.A. in Mexico and it has
been decided that you will

go and tell this," addressed
to me, "You will tell this to
Acting Director Gray."

Q. But, Mr. Walters, could
it have been that Mr. Halde-
man asked you or Mr. Helms
to go to Mr. Gray and—to
first inquire at the C.I.A.
whether or not there might
be some problem at the
C.I.A. if there was an in-
vestigation in Mexico rather
than saying it was decided
that you should go?

A. I do not recall it being
put in a question form. It
was put in a directive form.

Q. In other words, you un-
derstood that to be a direc-
tion.

A. I understood that to be
a direction and since Mr.
Haldeman was very close to
the top of the governmental
structure of the United
States, and as Mr. Helms
testified yesterday, the White
House has a great deal of
information that other people
do not have, I had been with
the agency approximately six
weeks at the time of this
meeting, I found it quite con-
ceivable that Mr. Haldeman
might have some information
that was not available to me.

Q. Now, General Walters,
did there come a time when
you put in writing, in the
form of a memorandum your
recollection of that meeting
on June 23, 1972?

A. There did, Mr. Dash,
five days later. When this
thing started I do not habit-
ually keep memoranda of
when on the Tuesday, the
following Tuesday, Mr. Dean
put the question to me or he
didn't put the question, but
explored the possibility of
the C.I.A. going bail and pay-
ing the salaries of the sus-
pects who were in jail, I re-
alized it was time for me to
start keeping a record. So
following that second meet-
ing on the 27th I sat down
and I wrote memoranda for
myself; they were not in-
tended to be a verbatim ac-
count of the conversation or
to cover all aspects of the
conversation but notes to jog
my own memory. I wrote a
memorandum on the meet-
ing with Mr. Haldeman and
Mr. Ehrlichman, I wrote a
memorandum on the meeting
with Mr. Gray, I wrote a
memorandum on my first
meeting with Dean on Mon-
day the 28th, and a memo-
randum of my second meeting
with Mr. Dean on the 27th.

On the 28th I met with Mr.
Dean for the third and last
time, and I wrote a memo-
randum, I believe, the follow-
ing day.

Q. Now, would you briefly
relate to your best recollec-
tion what conversation you
had with Mr. Gray at that
time? This was on June 23,
1972.

A. I said to Mr. Gray that

I had just come from the
White House where I had
talked to some senior staff
members and I was to tell
him that the pursuit of the
F.B.I. investigation in Mexico,
the continuation of the F.B.I.
investigation in Mexico, could
—might uncover some covert
activities of the Central In-
telligence Agency. I then re-
peated to him what Mr.
Helms had told me about the
agreement between the F.B.I.
and C.I.A. and he said he was
quite aware of this and in-
tended to observe it scrupu-
lously.

Conversation With Dean

Q. All right. Will you re-
late to the committee the
conversation you had with
Mr. Dean at that time, on
June 26, 1972?

A. Mr. Dean said that he
was handling this whole
matter of the Watergate,
that it was causing a lot of
trouble, that it was very em-
barrassing. The F.B.I. was in-
vestigating it. The leads had
led to some important peo-
ple. It might lead to some
more important people.

The F.B.I. was proceeding
on three hypotheses, namely,
that this break-in had been
organized by the Republican
National Committee, by the
Central Agency or, by some-
one else, whereupon I said I
do not know who else or-
ganized it but I knew that
the Central Intelligence Agen-
cy did not organize it. I said
furthermore, I have—I re-
lated to my conversation
with Mr. Dean—Mr. Halde-
man and Mr. Ehrlichman on
the previous Friday and told
him I had checked within the
agency and found there was
nothing in any of the on-
going F.B.I. investigations
that could jeopardize C.I.A.
activities or sources or com-
promise them in any way in
Mexico.

He then said, well, could
this not have happened with-
out your knowledge? Well, I
said, originally perhaps, but
I have inquired. I have
talked to Mr. Helms and I am
sure that we had no part in
this operation against the
Democratic National Com-
mittee.

He kept pressing this.
There must have been. These
people all used to work for
the C.I.A., and all this thing.
I said maybe they used to
but they were not when they
did it and he pressed and
pressed on this and asked if
there was not some way I
could help him, and it
seemed to me he was explor-
ing perhaps the option of
seeing whether he could put
some of the blame on us.

There was not any specific
thing he said but the general
tenor was in this way and I
said to him—I did not have
an opportunity to consult

with anybody—I simply said,
Mr. Dean, any attempt to in-
volve the agency in the
stifling of this affair would
be a disaster. It would de-
stroy the credibility of the
agency with the Congress,
with the nation. It would be
a grave disservice to the
President. I will not be a
party to it and I am quite
prepared to resign before I
do anything that will impli-
cate the agency in this mat-
ter.

This seemed to shock him
somewhat. I said that any-
thing that would involve any
of these Government agen-
cies like the C.I.A. and F.B.I.
in anything improper in this
way would be a disaster for
the nation. Somewhat reluc-
tantly he seemed to accept
this line of argument and I
left.

Q. I think you mentioned
earlier that you did again
meet with Mr. Dean.

A. On the following morn-
ing, the 27th of June, I re-
ceived another telephone call
from Mr. Dean summoning
me down to his office. I went
down to Mr. Dean's office.

Mr. Dean said that the in-
vestigation was continuing,
that some of the suspects
were wabbling and might
talk and I said, well, that is
just too bad but it has noth-
ing to do with us because
nothing that they can say can
implicate the agency. So he
again said, have you not
discovered something about
agency involvement in this
matter and I said no, I have
not discovered anything about
agency involvement in this
matter.

He said is there not some-
thing the agency can do to
help? I said I do not see how
we can be helpful. Then he
said, well, would there be any
way in which you could go
bail or pay the salaries of
these defendants while they
are in jail? And I said, no
way. To do so would im-
plicate the agency in some-
thing in which it is not im-
plicated. I will have no part
in this.

I further told Mr. Dean
that when we expended
funds, covert funds within
the United States, we were
required to report this to our
Congressional oversight com-
mittees and this seemed to
cool his enthusiasm consid-
erably. We had a few more
discussions and again he
asked me whether there was
any way we could be helpful
and I said, no, we could not be.

Enthusiasm Cooled

Q. All right now, the meet-
ing on the 28th it appears
was a fairly significant meet-
ing because it was a follow-
up again of a third meeting
that you had with Mr. Dean.
Do you have a copy of that

memorandum?

A. "On 28 June at 11:30 John Dean asked me to see him at his office in the Executive Office Building. I saw him alone.

"He said that the directors' meeting," that is Director Helms's meeting, "with Patrick Gray, F.B.I. director, was canceled and that John Ehrlichman had suggested that Gray deal with me instead.

"The problem was how to stop the F.B.I. investigation beyond the five suspects. Leads led to two other people—Ken Dahlberg and a Mexican named Guena. Dean said that the \$89,000 was unrelated to the bugging case and Dahlberg was refusing to answer questions. Dean then asked hopefully whether I could do anything or had any suggestions.

"I repeated that as deputy director, I had no independent authority. I was not in the channel of command and had no authority other than that given me by the director. The idea that I could act independently was a delusion and had no basis in fact.

'A Tough Problem'

"Dean then asked what might be done and I said that I realized he had a tough problem, but if there were agency involvement, it could be only at Presidential directive and the political risks that were concomitant appeared to me to be unacceptable. At present there was a high-explosive bomb but intervention such as he had suggested would transform it into a megaton hydrogen bomb. The present caper was awkward and unpleasant. Directed intervention by the agency could be electorally mortal if it became known and the chances of keeping it secret until the election were almost nil. I noted that scandals had a short life in Washington and other newer, spicier ones soon replaced them. I urged him not to become unduly agitated by this one.

"He then asked if I had any ideas and I said that this affair already had a strong Cuban flavor and everyone knew the Cubans were conspiratorial and anxious to know what the policies of both parties would be towards Castro. They, therefore, had a plausible motive for attempting this amateurish job which any skilled technician would deplore. This might be costly but it would be plausible.

"Dean said he agreed that this was the best tack to take but it might cost half a million dollars. He also agreed (for the second time) that the risks of agency involvement were unacceptable. After a moment's thought he said that he felt that Gray's cancellation of his appointment with Director Helms might well be reversed in the next few hours.

"Dean thanked me and I left."

Q. Now, did you receive, General Walters, a call from Mr. Gray on July 5? Could you tell us briefly what that call was about?

A. I believe that Mr. Gray said to me at this point that the pressures were mounting to continue the investigation and that unless he received a written letter from Mr. Helms or from me to the effect that the further pursuit of this investigation in Mexico would uncover C.I.A. assets or activities he would have to go ahead with the investigation. I did not wish to discuss this with Mr. Gray over the telephone. I told him I would come down and see him the first thing the next morning.

Q. Would you briefly tell the committee what the nature of your conversation was with Mr. Gray at that time? [the next morning]

A. I told Mr. Gray right at the outset that I could not tell him and even less could I give him a letter saying that the pursuit of the F.B.I.'s investigation would in any way jeopardize C.I.A. activities in Mexico. I told him I had to be quite frank with him. I told him that I had seen Mr. Dean on three occasions, that I had told Mr. Gray what Mr. Dean had told me. Mr. Gray seemed quite disturbed by this, and we both agreed that we could not allow our agencies to be used in a way that would be detrimental to their integrity.

I think basically this was it. I said I could not give him a letter to this effect. I could not tell him this and I could not give him a letter to the effect that further investigation would compromise assets of the C.I.A. He said he understood this. He himself had told Ehrlichman and Haldeman that he could not possibly suppress the investigation in the matter, even within the F.B.I. there were leaks.

Upset by Leaks

He had called in the components of his field office and chewed them out for these leaks. I said the only basis on which he and I could deal was absolute frankness and I wished to recount my involvement in the case. I told him of a meeting at the White House with Mr. Helms. I did not mention Haldeman or Ehrlichman's name. I told him that I had been directed to tell him that the investigation of this case further in Mexico could compromise some C.I.A. activities.

Subsequently, I had seen Mr. Dean, the White House counsel, and told him that whatever the current unpleasant implications of the Watergate were that to implicate the agency would not serve the President, would enormously increase the risk to the President. I had a long association with the President, and was desirous as anyone of protecting him. I did not believe

that a letter from the agency asking the F.B.I. to lay off this investigation on the spurious grounds that it would uncover covert operations would serve the President.

Such a letter in the current atmosphere of Washington would become known and could be frankly electorally mortal. I said quite frankly, I would write such a letter only on direction from the President and only after explaining to him how dangerous I thought his action would be to him, and if I were really pushed on this matter I would be prepared to resign.

President's Interest

Mr. Gray thanked me for my frankness. He said he could not suppress this investigation within the F.B.I. He had told Mr. Kleindienst this, he had told Mr. Ehrlichman and Mr. Haldeman that he would prefer to resign, but that his resignation would raise many questions. It would be detrimental to the President's interest.

He did not see why he or I should jeopardize the integrity of our organization to protect some middle level White House figure who had acted imprudently. He was prepared to let this go to Ehrlichman, to Haldeman or to Mitchell. He felt it was important that the President should be protected from his would-be protectors. He had explained to Dean as well as to Haldeman and Ehrlichman, he had explained this.

Finally, I said that if I were directed to write a letter to him saying the future investigation of this case would jeopardize the security of the United States in covert operations of the agency I would ask to see the President and explain to him the disservice I thought this would do to his interest. The potential danger to the President of such a course far outweighed any protective aspects it might have for other figures in the White House and I was quite prepared to resign on this issue. Mr. Gray said this was a very awkward matter for this to come up at the outset of our tenure. He looked forward to good relations between our two agencies. Thanked me for my frankness and that was it.

Q. Now, General Walters, did there come a time shortly after, several days after that you met with Mr. Gray again, Acting Director Patrick Gray?

A. It was on the 12th of July, Mr. Dash. In the meantime, the C.I.A. had been co-operating fully with the F.B.I. investigation passing them all the material we had on these former employees of ours and any other matters that were of interest to them.

Q. Now, during this meeting with Mr. Gray, did Mr. Gray tell you that he had received a call from the President? A. Yes, he did.

Q. Could you read that part of your memorandum where he discussed that call?

A. He had received a phone call from the President—"The President had called up to congratulate him on the F.B.I. action which had frustrated the airplane hijacking in San Francisco.

Dismissal Urged

Toward the end of the conversation the President asked him if he had talked to me about the case. Gray replied that he had. The President then asked him what his recommendation was in this case. Gray had replied that the case could not be covered up and it would lead quite high and he felt the President should get rid of the people that were involved. Any attempt to involve the F.B.I. or the C.I.A. in this case would almost prove a mortal wound.

Then I put in brackets: He used my words because these were the words I had used in talking with Mr. Gray.

The President then said, "Then, I should get rid of the people that were involved no matter how high?" Gray replied that was his recommendation. The President then asked what I thought and Gray said my views were the same as his. The President took it well and thanked Gray.

In all fairness I must say that Mr. Gray did tell me—I did not put it in here that the President had told him to go ahead with his investigation.

AFTERNOON SESSION

L. Patrick Gray 3d

MR. GRAY: I returned to Washington on the evening of June 20 and received a phone call from John Ehrlichman the next morning. Mr. Ehrlichman informed me that John Dean would be handling an inquiry into Watergate for the White House, that I should deal directly with John Dean concerning the investigation and that Mr. Dean was expecting a call from me. Mr. Ehrlichman and I then discussed the matter of procedural safeguards against leaks and I told him that we were handling this case as a major special with all of our normal procedures in effect. I also indicated to him that we were going to conduct an aggressive and vigorous investigation and would probably be interviewing people at the White House.

I called Mr. Dean upon my return to my own office at 10 A.M. and arranged to meet with him at 11:30 A.M. in my office on June 21, 1972. At our meeting he discussed with me the sensitivity of the investigation and the need to avoid leaks in a political year. He also informed me that he had the responsibility to handle this inquiry for the White House and would sit in on any interviews of White House

staff personnel. Mr. Dean stated that he would be there in his official capacity as counsel to the President.

I asked Mr. Dean if he would be reporting directly to the President or through Mr. Haldeman or Mr. Ehrlichman. He informed me that he would be reporting directly to the President.

Meeting With Walters

I met with General Walters at 2:34 P.M. on Friday, June 23, 1972. He informed me that we were likely to uncover some C.I.A. assets or sources if we continued our can money chain. I under- investigation into the Mex- stood his statement to mean that if the F.B.I. persisted we would uncover C.I.A. covert operations and that the C.I.A. had an interest in Messrs. Ogarrio and Dahlberg and in the \$114,000.00 involved. He also discussed with me the agency agreement under which the F.B.I. and C.I.A. have agreed not to uncover and expose each other's sources. I had not read this agreement and still have not, but it was logical to me at the time and I did not question General Walters.

On Tuesday morning, June 27, 1972, I met with Mr. Bates and Mr. Mark Felt, acting associate director, to receive a briefing on the latest developments. While they were in the office Mr. Dean called. The call involved establishing the chain of custody for the contents of Howard Hunt's safe and his providing us with photographs of certain White House staff members to aid us in identifying an individual who had been with Mr. Hunt at the Miami Playboy Club in December of 1971.

In this conversation I also told Mr. Dean that if Mr. Dahlberg continued to evade us he would be called before the grand jury. Although I cannot pinpoint the exact telephone conversation I believe that by this date Mr. Dean had requested that Mr. Dahlberg not be interviewed because of alleged C.I.A. interest in him.

Motive and Reasons

In this same conversation, I also told Mr. Dean that it was extremely important that the F.B.I. continue its aggressiveness until we determine the motive, reasons, and identity of all persons involved. I said that I might be called upon at a later date to testify before Congressional committees and we could not have the F.B.I. accused of not pursuing the case to the end. plik upp-4TH ADD.

Following the briefing by Mr. Felt and Mr. Bates and as an outgrowth of it, I telephoned Director Helms of the C.I.A. and asked him to tell me specifically if the C.I.A. had any interest in Mr. Ogarrio that would prevent us from interviewing him and also asked that he and General Walters meet the following day at 2:30 P.M. in my office with me, Mr. Felt

and Mr. Bates to review our respective positions in this investigation. Director Helms told me that he would have to check to determine whether the C.I.A. had any interest in Mr. Ogarrio and would call me later. Director Helms called me back later that afternoon, told me the C.I.A. had no interest in Mr. Ogarrio and confirmed our meeting for the next day.

Just seven minutes after Director Helms's call to me, Mr. Dean called me (3:45 P.M.) and although I cannot be absolutely certain, I believe that was a call again requesting me to hold off interviewing Mr. Ogarrio and Mr. Dahlberg because of C.I.A. interest in these men. I cannot recall if I told him that I had just talked to Director Helms who informed me that C.I.A. had no interest in Mr. Ogarrio and that I was going to order that Mr. Ogarrio be interviewed. I seem to remember that Mr. Dean said to me that these men have absolutely nothing to do with Watergate, but I cannot remember whether he said this to me in this conversation or in earlier conversations.

Rumors of Leaks

On Wednesday, June 28, 1972, at 10:25 A.M., Mr. Dean telephoned me and talked about rumors of leaks from the F.B.I., the material from Hunt's safe previously delivered to the F.B.I., rumors of a slow-down in the F.B.I., and leaks from the F.B.I. concerning the tracing of the \$114,000.

At 10:55 A.M. on this same day Mr. Ehrlichman called me. I was not available, but I returned his call at 11:17 A.M. His first words, issued abruptly, were, "Cancel your meeting with Helms and Walters today. It is not necessary." I asked him for his reasons and he simply said that such a meeting is not necessary. I then asked him point blank who was going to make the decisions as to who is to be interviewed. He responded, "You do."

I met with Mr. Felt and Mr. Bates in my office at 2:30 P.M. on this Wednesday afternoon, June 28th, to review the C.I.A. situation. Mr. Bates pointed out that under no circumstances should we back off any investigation at the request of C.I.A. without forcing them to reveal completely their interest in this matter. We all agreed that the F.B.I.'s reputation was at stake and I assured them that I would not hold back the F.B.I. in this investigation at anyone's request, including the President of the United States, in the absence of overriding and valid considerations. I told them that if I was ordered to do so without valid reasons, I would resign.

It was in this meeting that I believe I gave Mr. Felt and Mr. Bates instructions to go ahead with the interview of Mr. Ogarrio and to continue

four efforts to locate and interview Mr. Dahlberg.

Interviews Recommended

In San Diego, on Friday, June 30, I received a call from Mr. Felt. He informed me that Assistant United States Attorney Silbert wanted the F.B.I. to interview Mr. David Young, Mr. Ogarrio and Miss Chenow and that our Washington field office recommended interviews of Mr. Mitchell, Mr. Young and Miss Chenow. I instructed Mr. Felt to tell Mr. Dean that we were going to interview Mr. Mitchell, Mr. Young, Miss Chenow, and any others that we must interview, and I also told him to give to Mr. Dean the message from Assistant United States Attorney Silbert just as we received it.

I recall that General Walters indicated a feeling of irritation and resentment at the extent to which White House aides had involved themselves in the question of C.I.A. interest but I do not recall his giving me any details and I have absolutely no recollection of his disclosing to me that he had been instructed to bring a false report to me. I asked for no details.

I, too, was concerned and disturbed at the contradictory reports I had been receiving from Director Helms, Mr. Dean and General Walters with respect to C.I.A. interest and at the abrupt cancellation by Mr. Ehrlichman of the meeting I had scheduled with Director Helms and General Walters on June 28. I undoubtedly so expressed myself to General Walters.

My recollection is that he and I then engaged in a general discussion of the credibility and position of our respective institutions in our society and of the need to ensure that this was maintained.

Comment by Walters

Toward the end of the conversation, I recall most vividly that General Walters leaned back in the red overstuffed leather chair in which he was sitting, put his hands behind his head and said that he had come into an inheritance and was not concerned about his pension, and was not going to let "these kinds" kick him around any more.

We stood up together as he prepared to leave. I cannot recall which one of us suggested that we ought to call the President to tell him of this confusion and uncertainty that had been encountered in determining C.I.A. interest or no C.I.A. interest. I believe it was General Walters who suggested it first, because I can firmly recall saying to him, "Dick, you should call the President, you know him better than I." I believe he said, "No, I think you should because these are persons the F.B.I. wishes to interview." We did not settle on who, if anyone, would make such a call and General Walters left.

At this point I would like to comment on some aspects of General Walters' memorandum of our meeting of July 6th.

A) With respect to General Walters' assertion in paragraph 1 that, "In all honesty I [Walters] could not tell him to cease future investigations on the grounds that it would compromise the security interests of the United States; even less so could I write him a letter to this effect."

We did not at any time discuss a curtailment of the entire investigation. In our July 6 meeting I most definitely recall General Walters saying that he could not write a letter stating that our investigation of Ogarrio and Dahlberg would jeopardize national security. I distinctly remember that his inability to write such a letter to the F.B.I. was the strong central theme of his comments throughout the meeting.

Discussion Denied

B) With respect to General Walters' assertion in Paragraph 1 that "he [Gray] himself had told Ehrlichman and Haldeman that he could not possibly suppress the investigation of this matter..."

I did not discuss the Watergate investigation with Mr. Haldeman at any time except that during my confirmation hearings in 1973 at the request of Senator Kennedy I telephoned Mr. Haldeman to ask whether Mr. Dean had shown Haldeman copies of the F.B.I. reports of interview.

At no time did anyone ever order or request me to suppress this investigation. As I have testified, I was obviously aware of the "hot potato" aspect of the investigation, sensitive to any implication that the F.B.I. would not do a thorough job and undoubtedly told any number of people, perhaps including Mr. Ehrlichman and certainly including Mr. Dean, that the F.B.I. would follow its leads wherever they led.

C) With respect to General Walters' assertion in Paragraph 2 concerning his alleged report to me of his White House conversations.

I have no recollection of being told by General Walters that he and Director Helms had met with White House staff assistants and that General Walters had been directed to tell me that pursuit of the investigation would uncover C.I.A. covert operations. I have absolutely no recollection of any kind of being told by General Walters that he had been instructed by White House aides to bring a false tale to me concerning C.I.A. interest and that he had in fact done so on June 23.

As I have already indicated, I do remember that he repeatedly stated his inability to write a letter indicating that the C.I.A. had an interest in Messrs. Ogarrio

and Dahlberg and that he would resign if directed to do so. I am quite certain that he spoke of such a course as dangerous to the President and, although I do not recall his use of the phrase "mortal wound," I know that I used it in my subsequent conversation with the President and it seems to me quite likely that I picked up the phrase from General Walters.

D) With respect to General Walters' assertion in Paragraph 3 that I informed him that I had told Attorney General Kleindienst that I could not suppress the investigation.

Never did I have any occasion to say to the Attorney General that I could not suppress the investigation with the F.B.I. And I certainly do not believe I said this to General Walters. I had no reason to do so. Again I believe that General Walters may be confusing my possible references to my public remarks and my thoughts that to control an investigation of the F.B.I., one would have to control everyone involved from the Attorney General down to the case agent. In fact, at the outset of the investigation I had a telephone conversation with Mr. Kleindienst in which we explicitly agreed that this should be a vigorous investigation. I may very well have mentioned this to General Walters.

Comment on Resignation

E) With respect to General Walters' assertion that "he [Gray] had told Ehrlichman and Haldeman that he would prefer to resign, but his resignation would raise many questions that would be detrimental to the President's interests."

I have no recollection whatever of having made this statement to General Walters. I certainly never made such a statement to either Mr. Ehrlichman or Mr. Haldeman. I had so expressed myself to my people within the F.B.I. in the context of our discussions of our determination to proceed to interview Messrs. Ogarrio and Dahlberg unless we received a written statement of C.I.A. interest.

A narrative memorandum prepared by Assistant Director Bates of the general investigative division recounts a meeting between Mr. Felt, Mr. Bates and me on June 28, 1972: "I [Mr. Bates] pointed out that under no circumstances should we back off of any investigation at the request of C.I.A. without forcing them to reveal completely their interest in this matter. Mr. Felt and I both pointed out that the F.B.I.'s reputation was at stake as well as Mr. Gray's position. That we did not feel we should hold back under any circumstances unless the reasons therefore were publicly expressed. Mr. Gray made it plain that he would not hold back the

F.B.I. in this investigation at anyone's request, including the President of the U.S., and if he were ordered to do so he would resign." It is certainly possible that I discussed this conversation with Mr. Felt and Mr. Bates with General Walters in the context of his telling me that if he were directed to write a letter asserting C.I.A. interest in Messrs. Ogarrio and Dahlberg he would resign.

I Was Concerned

After General Walters left the office I sat at my desk quietly and mulled over our conversation. I was confused, uncertain and uneasy. I was concerned enough to believe that the President should be informed.

I decided to call Clark MacGregor to request that he inform the President of what I would tell him. I decided on Mr. MacGregor because I knew he was close to the President and had his confidence.

At 10:51 A.M., Thursday, July 6, 1972, I spoke to Mr. MacGregor at San Clemente, Calif., via the White House switchboard and I told him that Dick Walters and I were uneasy and concerned about the confusion that existed over the past two weeks in determining with certainty whether there was or was not C.I.A. interest in people that the F.B.I. wishes to interview in connection with the Watergate investigation. These of course are not my exact words but they do express the thoughts that I conveyed to him.

Again, although these are not the exact words, I also conveyed to him the thought that I felt that people on the White House staff were careless and indifferent in their use of the C.I.A. and the F.B.I. I also expressed the thought that this activity was injurious to the C.I.A. and the F.B.I., and that these White House staff people were wounding the President.

I asked if he would please inform the President and it is my best recollection that he said he would handle it.

Called by Nixon

Thirty-seven minutes later, at 11:28 A.M. on Thursday, July 6, 1972, the President called me. He expressed his congratulations to the F.B.I. and asked that I express his congratulations to the agents in San Francisco who successfully terminated a hijacking there the previous day. I thanked the President and then said to him, and to the very best of my recollection these are the words: "Mr. President, there is something I want to speak to you about."

"Dick Walters and I feel that people on your staff are trying to mortally wound you by using the C.I.A. and F.B.I. and by confusing the question of C.I.A. interest in, or not in, people the F.B.I. wishes to interview."

"I have just talked to Clark

MacGregor and asked him to speak to you about this."

There was a slight pause and the President said, "Pat, you just continue to conduct your aggressive and thorough investigation."

General Walters came to my office again on July 12, 1972. At his meeting he apparently gave me a memorandum which, I am now informed, contained information to the effect that the C.I.A. furnished certain aliases to Liddy and Hunt and certain paraphernalia to Hunt. Until I briefly saw a copy of this memorandum this spring in the offices of the United States Attorney for the District of Columbia containing a notation of its receipt in my handwriting, I had no recollection of this memorandum.

I still do not recall noting its contents at the time. I am told that the original of this memorandum was found in my safe after I left the F.B.I. I probably gave it to my secretary to put in the safe after General Walters left my office. It is also possible that I may have routed it to Messrs. Felt and Bates as I know I did with the July 6, 1972, memorandum that General Walters brought to me.

Memorandum of July 13

At this point I would like to comment on General Walters' Memorandum of July 13 with respect to his meeting with me on July 12.

With respect to my report to General Walters of my phone call with the President, including the statements attributed to me, that the President asked if I had talked to General Walters about the case, that the President asked for my recommendation in the case, that I told the President it could not be covered up, would lead quite high, and that the President should get rid of the people that were involved.

I have already testified as to my entire recollection of my telephone call with the President.

With regard to General Walters' version of my conversation with the President, I have to say that it does not square with my memory of what I said to the President or what I said to General Walters about the call from the President. At this July 12, 1972, meeting with General Walters it is my best recollection that I merely said to him that I had spoken to the President last week on the subject we discussed when the President called to congratulate us on a hijacking. I certainly do not remember discussing the conversation other than to tell him just what I had said to the President.

I am quite positive that I did not say to the President that the case could not be covered up, and I have no recollection whatever of telling him that it would lead quite high, and that I felt the President should get rid of the people who were involved. And I am just as pos-

itive that I did not make such remarks to General Walters.

I probably did tell General Walters that on several occasions I had told John Dean that this investigation would have to expose whoever is involved no matter how high it reached, that Mr. Dean had responded, "No matter how high?" and that I said, "yes, no matter how high." Perhaps General Walters has confused my conversation with Mr. Dean with my conversation with the President.

The only response by the President I now recall or have ever recalled to my remarks was that we should continue our thorough and aggressive investigation.

Confusion Suggested

There has been hearsay testimony before this committee to the effect that I was furnished material from the C.I.A. containing photographs of Gordon Liddy standing in front of Dr. Ellsberg's psychiatrist's office. This statement records my entire recollection of receipt of information concerning Hunt or Liddy. I never at any time was in possession of such photographs or knew of their existence. I also had and have no information related to any discussions between the White House, Department of Justice and C.I.A. on the subject of retrieval by the C.I.A. of C.I.A. information furnished to the Department of Justice.

Prior to a meeting I had with Mr. Dean and Mr. Ehrlichman in Mr. Ehrlichman's office on the evening of June 28, 1972, I had no knowledge from any source whatever of the existence of these particular files or of the information I was to receive that evening.

I arrived at Mr. Ehrlichman's office at about 6:30 P.M. that evening for the purpose of discussing with him the many rumors and allegations concerning leaks of information from the F.B.I. regarding the Watergate investigation. One of his secretaries told me to go right on into his private office. Mr. Dean was in the office talking with Mr. Ehrlichman. I remember being surprised at Mr. Dean's presence because I had not known that he would be at the meeting.

Hunt Data Delivered

After the usual greetings were exchanged, Mr. Ehrlichman said something very close to, "John has something that he wants to turn over to you." I then noticed that Mr. Dean had in his hands two white manila legal size file folders. It is my recollection that these folders were not in envelopes at this time.

Mr. Dean then told me that these files contained copies of sensitive and classified papers of a political nature that Howard Hunt had been working on. He said they have national

security implications or overtones, have absolutely nothing to do with Watergate and have no bearing on the Watergate investigation whatsoever. Either Mr. Dean or Mr. Ehrlichman said that these files should not be allowed to confuse or muddy the issues in the Watergate case.

I asked whether these files should become a part of our F.B.I. Watergate file. Mr. Dean said they should not become a part of our F.B.I. Watergate file, but that he wanted to be able to say, if called upon later, that he had turned all of Howard Hunt's files over to the F.B.I.

I distinctly recall Mr. Dean saying that these files were "political dynamite," and "clearly should not see the light of day."

It is true that neither Mr. Ehrlichman nor Mr. Dean expressly instructed me to destroy the files. But there was, and is (no doubt in my mind) that destruction was intended. Neither Mr. Dean nor Mr. Ehrlichman said or implied that I was being given the documents personally merely to safeguard against leaks.

As I believe each of them has testified before this committee the White House regarded the F.B.I. as a source of leaks. The clear implication of the substance and tone of their remarks was that these two files were to be destroyed and I interpreted this to be an order from the counsel to the President of the United States issued in the presence of one of the two top assistants to the President of the United States.

Envelopes Requested

It is my recollection that I asked for large brown envelopes in which to place the files. I believe that Mr. Dean stepped briefly into the outer office to obtain the envelopes and placed each file in a separate brown envelope in Mr. Ehrlichman's inner office and handed them to me.

Although my memory is not perfectly clear on this, I believe Mr. Dean then left Mr. Ehrlichman's office and I stayed for 5 or 10 minutes to discuss the rumors and allegations of leaks from the F.B.I. These were the same rumors that had been rampant in the first week of the investigation. I believe that I told Mr. Ehrlichman that I had spoken to all of the agents assigned to the case and was quite confident that these leaks did not come from the F.B.I.

I then left Mr. Ehrlichman's office with the two manila envelopes containing the files, went to my car, placed the files in my briefcase, and proceeded to my apartment. I placed the files on a closet shelf under my shirts. After two or three weeks I took them into the office and placed them in my personal safe.

To the best of my recollection I removed the files

to my home in Stonington, Conn., in late September or early October, 1972, and placed them in a chest of drawers in the area just outside my bedroom. I intended to burn them but I did not get around to doing so until after my illness, hospitalization, and convalescence in the latter half of November and December.

I distinctly recall that I burned them during Christmas week with the Christmas and household paper trash that had accumulated immediately following Christmas. To this point I had not read or examined the files. But immediately before putting them in the fire I opened one of the files. It contained what appeared to be copies of "top secret" State Department cablegrams. I read the first cable. I do not recall the exact language but the text of the cable implicated officials of the Kennedy Administration in the assassination of President Diem of South Vietnam.

Shaken by 'Table'

I had no reason then to doubt the authenticity of the "cable" and was shaken at what I read. I thumbed through the other "cables" in this file. They appeared to be duplicates of the first "cable." I merely thumbed through the second of the two files and noted that it contained onionskin copies of correspondence. I did not absorb the subject matter of the correspondence and do not today, of my own knowledge, know what it was.

Mr. Dean has described in testimony before this committee a conversation with me at a Department of Justice luncheon which he placed during or shortly after January of this year at which I allegedly told him to "hang tight" on not disclosing my receipt of the documents and informed him that I had destroyed them. I recall no such meeting or conversation with Mr. Dean at a Department of Justice Luncheon, and my records do not indicate any such luncheon meeting. My committee my recollection of all conversations I have had with Messrs. Dean, Ehrlichman, and others about the June 28 meeting and its aftermath.

I believe that Mr. Dean called me at my home in Connecticut in late October or early November. As I recall it, he asked me on that occasion if I still had the two files he gave to me. I said I did and that they were in a safe place in my home at Stonington. I believe Mr. Dean asked if I had read them and I told him, truthfully, that I had not.

The sequence of the next discussions I had about these files is somewhat hazy in my mind. My best recollection now is that over a span of several days during my confirmation hearings in early March of this year I had discussions on the subject with

Assistant Attorney General Petersen, John Dean and John Ehrlichman in that order.

I believe that Mr. Petersen called me and told me that Dean had stepped out of an interview being conducted by assistant United States attorneys in Mr. Petersen's presence to inform Mr. Petersen that he had turned two files from Hunt's safe, having nothing to do with Watergate, over to me. Mr. Petersen told me that he informed Dean to take it up with me and asked me if Dean had done so. I told Mr. Petersen, truthfully, that Dean had not.

I certainly did not acknowledge to Mr. Petersen that Mr. Dean had turned over any such files to me but I do not recall Mr. Petersen asking me that question on this occasion. I must acknowledge the possibility, however, that Mr. Petersen may have asked me if Dean had turned over such files to me. If he did ask, I am certain that I would have denied receipt of such files because of the instructions I received from Messrs. Ehrlichman and Dean on June 28, the information I had been given about their national security implications and the injunction that they "should never see the light of day."

I recall calling John Deart shortly thereafter and asking him whether he had told Henry Petersen about the two files. He told me that he had. I then asked him, in effect, if he told Mr. Petersen the whole story, namely that the files were given to me in John Ehrlichman's presence with the assurance that they had nothing to do with Watergate were sensitive and classified with National Security overtones, should not be part of the F.B.I. files, were political dynamite and clearly should not see the light of day.

He said he had not told Mr. Petersen all of this. I told Mr. Dean that if, as I had been assured, these files were of the character he described and had nothing to do with Watergate he ought not discussing them at all but that, if he did, he should at least tell Mr. Petersen the full story of their significance and the instructions to me.

Within a few days after this call, perhaps the next day, I called John Ehrlichman. This is the conversation which, unknown to me, John Ehrlichman tape recorded. I believe this committee has a transcript of that tape. I believe this call to be a call reflected in my logs as made on March 6, 1973, at 6:34 P.M.

I come to this conclusion in substantial part because at the outset of the conversation the transcript reports me as informing Ehrlichman that during my confirmation hearings "this morning" members of the Judiciary Committee received copies of a letter from the American Civil Committee could examine the entire F.B.I. Watergate file. The

transcript of my confirmation hearings reveals that such a letter was received by the committee on the morning of March 6.

The transcript of this conversation with Mr. Ehrlichman also reveals that I stated to Mr. Ehrlichman that "I am being pushed awfully hard in certain areas and I am not giving an inch and you know those areas." The assumption appears to have been made by Mr. Ehrlichman and by various members of this committee in their questioning of Mr. Ehrlichman that the "certain areas" in which I was being pushed was the receipt by the F.B.I. of the contents of Hunt's safe.

In fact the subject of the contents of Hunt's safe did not arise in my confirmation hearings until the next day, March 7.

Increasing Criticism

I was being "pushed" however with respect to my turning over F.B.I. reports to Mr. Dean and it was clear to me that my relationship with Mr. Dean was coming under increasing criticism by members of the Judiciary Committee. There is no doubt that I was concerned that the committee would, as it subsequently did, inquire into the circumstances of the turnover to the F.B.I. of the contents of Hunt's safe.

Because of the instructions I had received from Messrs. Dean and Ehrlichman when the two files were given to me and my absolute conviction that these files, tinged with political and national security implications, had nothing whatsoever to do with Watergate, I had no intention of volunteering to the committee my receipt and destruction of these files and did not do so. I would not and did not make any false statements under oath but I acknowledge that I purposely did not volunteer this information to the committee.

I justified my reticence not only because I then believed in the rectitude of the Administration whose nominee I was and in the integrity of the men who gave me the files and instructions, but because by brief look at the file of State Department "cables" had confirmed for me what I thought were overwhelming considerations of national security.

I had no way of knowing then, of course, that the "cables" were fabricated nor, I might add, did I know then what I have since learned—that I was being left, in Mr. Ehrlichman's elegant phrase, to "hang there" and "twist slowly in the wind."

Spoke to Ehrlichman

It was in this context, and knowing that Mr. Dean had already told Mr. Petersen about the files, that I had my conversation with Mr. Ehrlichman on March 6. There is no doubt that the message I intended to give to Mr. Ehrlichman was that he

should tell Mr. Dean that he should not disclose the delivery to me of those two files.

At about 10:30 P.M. on the evening of April 15, 1973, I received a call from Mr. Ehrlichman, his remarks were very short, terse and to the point. He simply told me that Dean had been talking to the prosecutors for some time and "we" think you ought to know about it. It was obvious from his tone and the manner in which he spoke that no questions were invited and more were asked. I merely said thanks as he was hanging up the phone.

I may have said, "Good evening, John" or "Hello, John" when I picked up the phone and it is my firm recollection that he started talking right away and made no response.

At shortly after 11:00 P.M., Ehrlichman called me again. This time his remarks were just as short, terse and to the point. He said, "Dean has been talking about the files he gave you and you better check your hole card." I said, "John, those papers were destroyed long ago." Again it was plain and obvious from his tone and the manner in which he spoke that no questions were invited and none were asked.

Both of these calls were of extremely short duration, less than 15 seconds each. His manner was fast talking and he seemed tense.

I know that Mr. Ehrlichman has testified that in these conversations I told him I

would deny receiving the files and asked him to support me in that delusion. I have absolutely no recollection of such an exchange and believe that both conversations were substantially as I have described them. I realize that the conversations may have been recorded without my knowledge.

On Monday, April 16, 1973, at 10:54 A.M., Assistant Attorney General Petersen came to see me. He said that Mr. Dean told the prosecutors he had turned over two of Hunt's files to me. I denied that I had received them. Mr. Petersen went on to say that Mr. Dean had said these two files had nothing to do with Watergate. He also said that Mr. Dean told the prosecutors that Mr. Ehrlichman had said to him, "Dean, you drive across the bridge each day, throw them in the River."

I was extremely troubled at my denial to Mr. Petersen. I slept little, if any, that night.

On Tuesday, April 17, 1973, at approximately 9:00 A.M., I placed a call to Mr. Petersen on my private line. He was not in and I left word. He called me back and, at my request, we met in my office later in the morning. I started our meeting by admitting that Dean had given me two white manila files in Ehrlichman's office.

He asked if I had them and I told him I had burned them. He asked if I knew what was in them. I told him

I had not read the files. He said the assistant United States attorneys will want you before the Federal grand jury. I told him I would go willingly and "tell it to them straight."

On Wednesday, April 25, 1973, I telephoned Senator Weicker asking to meet with him. For a week I had thought about this matter and of Senator Weicker's staunch and valiant support of me and his warm friendship. I had a duty to tell him of these two files, yet my shame was so deep that it was hard to pick up the phone and call.

Senator Weicker and I met twice that day in my office and again the next day. I told him the manner in which I had received the files, that I had not read them, and that I had torn them in half and thrown them in my burn wastebaskets under my desk in my office on July 3, 1972, after returning from a visit to the San Diego and Phoenix field divisions.

Questioned by Weicker

We discussed this subject at great length and he questioned me intensively on the entire matter. I persisted in my assertions to him that I had not read them, and that I had thrown them in my burn wastebasket in my office on July 3, 1972.

I really cannot explain why I failed to tell Senator Weicker all the facts at this time and made the misstatements to him concerning the date I destroyed the files and my

knowledge of what one of them contained. A sense of shame is all I can remember.

I suppose I felt, in some irrational way, that I would look better in his eyes if I had destroyed them promptly and never looked at them. I have subsequently revealed all the facts of the matter to Senator Weicker, the staff of this committee, the prosecutors and the grand jury.

At the time I accepted the two files from Dean and Ehrlichman, at the time I destroyed them, and on the several occasions, prior to my denial to Henry Petersen, on April 16, in which I resisted disclosure of the fact that I had received and destroyed the documents, I believed that I was acting faithfully, loyally, properly and legally pursuant to instructions given me by top assistants to the President of the United States. I have come to believe, however, what I should have realized then, that my acceptance of the documents in the first place, and my keeping them out of the normal F.B.I. files, was a grievous misjudgment.

My destroying them and resistance of disclosure only compounded the error. That the documents were not in fact "Watergate evidence," while legally significant, does not lessen my present belief that I permitted myself to be used to perform a mere political chore. I shall carry the burden of that act with me always.

NEW YORK TIMES
3 August 1973

Text of Transcript of Taped Conversation Between Hunt and General Cushman

Special to The New York Times

WASHINGTON, Aug. 2—Following is the transcript, made public today at the Senate Watergate committee hearings, of taped conversation between Gen. Robert E. Cushman and E. Howard Hunt Jr. regarding aid for a mission from the Central Intelligence Agency. Blanks apparently indicate incomprehensible sections.

MR. HUNT: Could we make this just the two of us?

GENERAL CUSHMAN: All right, sure. We certainly can.

MR. HUNT: Thank you very much. I've been charged with quite a highly sensitive mission by the White House to visit and elicit information from an individual whose ideology we aren't entirely sure of, and for that purpose they asked me to come over here and see if you could get me two things: flash photos, documentation, which wouldn't have to (it's—to be backstopped) and some degree of physical disguise, for a one-time op—in and out.

GENERAL CUSHMAN: I don't see why we can't.

MR. HUNT: We'll keep it as closely held as possible. I don't know how you or your cover people want to work it, but what I would like would be to meet somebody in a safehouse (Note: plane comes over at this point, and words are very indistinct.) physical disguise. We're planning on traveling either Saturday or Sunday. Tomorrow afternoon probably would be the earliest it could be accomplished, so if somebody could do it by tomorrow afternoon, it would be a great job.

Well, you're looking very well.

GENERAL CUSHMAN: Well, it's a nice job.

MR. HUNT: I know. I saw you at the Wisner Memorial presentation that day, you know, the plaque that's downstairs, and, if you pardon my saying so, you seem to have lost a little weight.

Loss of Weight Discussed

GENERAL CUSHMAN: Yes, I've taken some off. I sort of go up and down. When I go down, it's because I go on the wagon and don't eat very much at all, and this is hell to pay when you're being entertained and going to embassies and dinners, but it's the only way I can lose weight is to be miserable, relatively miserable.

MR. HUNT: Yes. I have the same problem. And, curiously, since I've retired, the thing I've missed most is the gym facilities, because I used to go down there. I'd be there about 15 minutes before the director would arrive, so we'd kind of overlap a bit, and that really kept my weight down, because it discouraged midafternoon

snacking, you know, and then I didn't feel a need to drink when I got home because I was too tired, you know, so I do miss that facility.

GENERAL CUSHMAN: Well, I don't use it. I ordinarily trot or jog for thirty minutes in the morning at home. If I wait until afternoon, I'm too tired. I'm just getting to that old-age point where, when I get home in the afternoon, I may work in the workshop or do a little bit of work in the yard, but I don't feel like running.

MR. HUNT: I know what you mean.

GENERAL CUSHMAN: I'm amazed at the boss, because he's still doing it, you know. It may be five-thirty or five o'clock when he gets down there. I'm usually pooped. I don't want athletics at that point.

MR. HUNT: Yes, that's right. I try to do a little setting-up exercise in the morning, but I'm not consistent about it. (Next part indistinct, but they're still talking about exercises.)

GENERAL CUSHMAN: Say, I can get in touch with you at the White House, can't I? (To tell you) what address to go to, and so forth.

MR. HUNT: Right. So we can lay on—you think tomorrow afternoon is ample time?

GENERAL CUSHMAN: I'll give it a try, yes. I haven't talked to anybody yet. I suppose they can do it. I haven't been in this business before, haven't had to.

MR. HUNT: Well, Ehrlichman said that you were the—

GENERAL CUSHMAN: Yes, he called me. I mean I haven't been in the cover business, so I don't know if they operate real fast, but I suppose they do.

MR. HUNT: Well, I know they can.

GENERAL CUSHMAN: Yes, I suppose they—

MR. HUNT: It's just a question of getting some—some physical disguise.

GENERAL CUSHMAN: What do you need? That will be the first thing they'll ask.

MR. HUNT: Well, I'll need, let's see, what have I got here? I probably need just a driver's license and some pocket litter.

GENERAL CUSHMAN: Driver's license—

MR. HUNT: Driver's license in any state at all, I don't care; some pocket litter of some sort,—pretty standard stuff.

GENERAL CUSHMAN: Pocket litter?

MR. HUNT: Yes, that's what the call it.

(Note: They both speak together at this point, and I can't make out what is said.)

GENERAL CUSHMAN: You don't care in what name?

MR. HUNT: I would like the first name to be Edward, that's all, if it could be Edward, because I'm being introduced to this gentleman

by just one name. (Note: few words indistinct) early this morning that somebody by the name of Edward would be getting in touch with him.

GENERAL CUSHMAN: And any state for the driver's license.

MR. HUNT: Yes, any state, it doesn't make any difference, and I'm just going to have to check into a hotel, and I'll use this alias documentation for that.

GENERAL CUSHMAN: Yes.

MR. HUNT: And I'll be talking to the same people, in and out, and if it goes a little bit well, that's swell. (You can't be a... beggar.) I just won't exist. It's not possible this Friday.

GENERAL CUSHMAN: OK. Let's see, you gave a number, one time where I could get you.

MR. HUNT: Right. Chuck Colson—my office is unattended so far, but—that's a direct line to Colson's office, and my office is two floors up, (and I'm only there part of the time).

GENERAL CUSHMAN: All right, fine. Whoever is there can get a hold of you.

MR. HUNT: Anybody can get a hold of me—

GENERAL CUSHMAN: And, I can give them the — or should I ask for you to call me back?

MR. HUNT: No, Joan Hall is —

GENERAL CUSHMAN: Is the gal who answers the phone.

MR. HUNT: Yest, She'll answer the phone, Joan Hall, and —

GENERAL CUSHMAN: And I can give her the time and the address.

MR. HUNT: Uh huh.

GENERAL CUSHMAN: OK.

MR. HUNT: I just — you know, I know so many people out here, it's just well that I'm not seen — If I'm going to put on a physical disguise, it's going to stick. I wouldn't want to be seen walking out of here. I'm sure they've got (safe) facilities downtown.

GENERAL CUSHMAN: Yes. They sure as hell did on my last tour of duty here.

MR. HUNT: I remember F.E.—my private office is just a stone's throw from the Roger Smith Hotel,—and it was practically an F.E. division. They had so many specks.

GENERAL CUSHMAN: The place I used to meet people, was at an office building—right near where the Press Club is—it was the Washington Building, next door to the Press Club. There used to be a nightclub on the second floor, and we used to meet people up there. I had a gal who thought it was just lots of fun to be in this business. She used to have the meeting people out on the

damn park benches and all this stuff, and I'd give her hell, if necessary. She just thought it was fun, playing a game. Well, they're keeping you busy with this new—

MR. HUNT: Well, they sure are, I'll tell you. But, actually, I'm delighted that they thought about me and thought to call on me and that I had the time. This gives me about a 12-hour day now.

GENERAL CUSHMAN: Keep you from thinking you're retired.

MR. HUNT: (I'm not going into retirement. It just (Note: Another plane comes over at this point) I'm convinced that the reason we're doing all this is for a good purpose.)

GENERAL CUSHMAN: Yes. MR. HUNT: An essential purpose.

GENERAL CUSHMAN: If you see John Ehrlichman, say hello for me.

MR. HUNT: I will indeed. (I expect to see him tomorrow.)

GENERAL CUSHMAN: He's an old friend of mine, got a full platter too.

MR. HUNT: Oh, that he does.

GENERAL CUSHMAN: How's that Domestic Council working out? You don't hear about it much in this business.

MR. HUNT: It's working out pretty well. Of course, two things that have really electrified the White—and I don't know why I'm telling you this because your contacts are undoubtedly much higher than mine over there but, the Pentagon papers, of course.

GENERAL CUSHMAN: Well, John—I think John is in charge of the security overhaul, isn't he?

MR. HUNT: That's right.

GENERAL CUSHMAN: Well, I guess that's right. It's sort of a domestic problem rather than a Kissinger problem.

MR. HUNT: (That it is indeed.)

really don't know. I only sub-know, at Kissinger meetings, at whatever group it is, they all have different names, but the same people sit there.

MR. HUNT: I find the same type of compartmentalization over there that I do here.

GENERAL CUSHMAN: Well, let me get to work on this, and I'll get the word back to you.

MR. HUNT: Yes, and the less my name comes up, absolutely the better.

GENERAL CUSHMAN: Yes.

MR. HUNT: If you want me to use a pseudonym with this guy — actually, I suppose the best — if he's in the room I'll get there at a specified time and I'll just go in and —

GENERAL CUSHMAN: OK. Fine, I'll get the word to you.

NEW YORK TIMES
3 August 1973

Text of Study on Ellsberg

Special to The New York Times

WASHINGTON, Aug. 2 — Following is the text of the Central Intelligence Agency's first psychological study of Dr. Daniel Ellsberg. It was prepared in early August, 1971, at the request of the White House in connection with its investigation of the disclosure of the Pentagon papers. This study was found unsatisfactory and a second was prepared.

This indirect personality assessment is based primarily on background material and current impressions derived from press reports, including newspaper and magazine articles and television interviews. In addition, selected State Department and Federal Bureau of Investigation memoranda have been reviewed. As the data base is fragmentary and there has been no direct clinical evaluation of the subject, this indirect assessment should be considered highly speculative and in no way definitive.

There is nothing to suggest in the material reviewed that subject suffers from a serious mental disorder in the sense of being psychotic and out of touch with reality. There are suggestions, however, that some of his long-standing personality needs were intensified by psychological pressures of the mid-life period and that this may have contributed significantly to his recent actions.

'Extremely Intelligent'

An extremely intelligent and talented individual, subject apparently early made his brilliance evident. It seems likely that there were substantial pressures to succeed and that subject early had instilled in him expectations of success, that he absorbed the impression that he was special and destined

of State.

He said in the memo: "The Foreign Service of the Department of State is the only collection agency of the Government which covers the whole world, and we should be very slow to subject the collection and evaluation of this foreign intelligence to other establishments, especially during times of peace. The powers of the proposed agency seem almost unlimited and need clarification."

The creation of the C.I.A. was regarded by Mr. Truman, in his memoirs, as a major achievement of his Administration since it brought together what had been a disparate number of military and civilian agencies.

"Here, at last, a coordinated method had been worked out, and a practical way has been found for keeping the President informed as to what was known and what was going on," he said.

for greatness. And indeed he did attain considerable academic success and seemed slated for a brilliant career.

There has been a notable zealous intensity about the subject throughout his career. Apparently finding it difficult to tolerate ambiguity and ambivalence, he was either strongly for something or strongly against it. There were suggestions of problems in achieving full success, for although his ideas glittered, he had trouble committing himself in writing.

He had a knack for drawing attention to himself and at early ages had obtained positions of considerable distinction, usually attaching himself as a "bright young man" to an older and experienced man of considerable stature who was attracted by his brilliance and flair.

But one can only sustain the role of "bright young man" so long. Most men between the ages of 35 and 45 go through a period of re-evaluation. Realizing that youth is at an end, that many of their golden dreams cannot be achieved, many men transiently drift into despair at this time.

In an attempt to escape from these feelings of despair and to regain a sense of competence and mastery, there is an increased trust towards new activity at this time. Thus this is a time of career changes, of extra-marital affairs and divorce.

It is a time when many men come to doubt their earlier commitments and are impelled to strike out in new directions.

For the individual who is particularly driven towards the heights of success and prominence, this mid-life period may be a particularly difficult time. The evidence reviewed suggests that this was so for Ellsberg, a man whose career had taken off like a rocket, put who found

himself at mid-life not nearly having achieved the prominence and success he expected and desired.

Thus it may well have been an intensified need to achieve significance that impelled him to release this

Exclusion of 3 Volumes

There is no suggestion that subject thought anything treasonous in his act. Rather, he seemed to be responding to what he deemed a higher order of patriotism. His exclusion of the three volumes of the papers concerned with the secret negotiations would support this.

Many of subject's own words would confirm the impression that he saw himself as having a special mission, and indeed as bearing a special responsibility. On several occasions he castigated himself for not releasing the papers earlier, observing that since he first brought them to the attention of the [Senate] Foreign Relations Committee, there had been "two invasions," more than 9,000 American lives lost, and hundreds of thousands of Vietnamese deaths.

Reactions 'Instructive'

He also on several occasions had suggested quite strongly that his action will not only alter the shape of the Vietnam war, but will materially influence the conduct of our foreign policy and the relationship between the people and the Government.

Ellsberg's reactions since emerging from seclusion have been instructive. Initially, there was jubilation, an apparent enjoyment of the limelight. This was succeeded by a transient period wherein there was a sense of quiet satisfaction, of acceptance of his new-found stature, as if his personally significant actions had accomplished what he sought to achieve.

But then, embittered that Congress and the press had not wholeheartedly supported him, he turned against them. This is not surprising, for there would seem to be an insatiable quality to Ellsberg's strong need for success and recognition.

on how we'll work it.

MR. HUNT: I hope Karl didn't resent that I asked him to —

GENERAL CUSHMAN: Oh, no, no. I just had him in here in case there was — we needed staff (calling).

NEW YORK TIMES
29 JUL 1973

MARSHALL IN 1947 CAUTIOUS ON C.I.A.

Special to The New York Times

WASHINGTON, July 28 — George C. Marshall, while Secretary of State, told President Harry S. Truman in 1947 that he had severe doubts about plans to create the Central Intelligence Agency because "the powers of the proposed agency seem almost unlimited and need clarification."

General Marshall's memorandum to Mr. Truman on Feb. 7, 1947, 5 months before the agency went into operation under the provisions of the National Security Act of 1947, is included in a volume of documents made public by the State Department Wednesday as part of its regular historical series on foreign relations.

The Marshall document seems to have contemporary relevance because of the announcement last week by Senator John C. Stennis, chairman of the Armed Services Committee, that he had ordered a full review of the C.I.A.'s charter to prevent the agency's involvement in Laotian-style secret wars, or in activity like Watergate.

Senate critics of the C.I.A. have attacked the language of the original National Security Act as too vague and ambiguous.

They have specifically cited the agency's authorization "to perform for the benefit of existing intelligence agencies such additional services of common concern as the National Security Council determines can be more effectively accomplished centrally" and another provision calling on the agency "to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

Mr. Marshall, in his memorandum, did not specify what language he was wary of approving. Rather, he seemed concerned about setting up a peacetime intelligence agency with wide-ranging responsibilities that might diminish the influence of the State Department.

General Marshall was during World War II the top American military leader. He headed a special mission to China in 1946 to seek a negotiated end to the war between the Nationalists and Communists. He was recalled to Washington in early 1947 to become Secretary